

REVISED JANUARY 2022

This document was revised January 9, 2022, to correct errors and include the omissions identified in RC 9. Specific changes in this revised report include the following: omitting page numbers in the *Summary of Department Positions* pages vii to xii; providing the correct figure and table references on pages 46, 48, 82, 273, and 274; adding Table 142-1 on page 127, Figure 142-1 on page 128, Table 229-1 on pages 245–249, and Table 230-1 on pages 253 and 254; including the subsistence regulation review for proposal 142 on pages 125 and 126; and revising language for proposals 122, 123, and 124 to include changes in proposal 124 on pages 92 and 93.

ALASKA DEPARTMENT OF FISH AND GAME

STAFF COMMENTS ON REGULATORY PROPOSALS, COMMITTEE OF THE WHOLE—GROUPS 1–8

FOR THE SOUTHEAST AND YAKUTAT FINFISH AND SHELLFISH ALASKA BOARD OF FISHERIES MEETING

2021/2022 MEETING CYCLE



Regional Information Report No. 1J21-15

The following staff comments were prepared by the Alaska Department of Fish and Game for use at the Alaska Board of Fisheries (board) meeting, January 4–January 15, 2022, in Ketchikan, Alaska. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Product names used in this publication are included for completeness and do not constitute product endorsement. The Alaska Department of Fish and Game does not endorse or recommend any specific company or their products.

Acronyms and Abbreviations

The following acronyms and abbreviations, and others approved for the Système International d'Unités (SI), are used without definition in the following reports by the Divisions of Commercial Fisheries, Sport Fish, and Subsistence: All others, including deviations from definitions listed below, are noted in the text at first mention, as well as in the titles or footnotes of tables, and in figure or figure captions.

Weights and measures (metric)		General		Acronyms	
centimeter	cm	Alaska Administrative		Acceptable Biological Catch	ABC
deciliter	dL	Code	AAC	Alaska Board of Fisheries	board
gram	g	all commonly accepted		Alaska Department of Fish	department
hectare	ha	abbreviations	e.g., Mr., Mrs., AM, PM, etc.	and Game	/ADF&G
kilogram	kg			Amount Necessary for	
kilometer	km	all commonly accepted		Subsistence	ANS
liter	L	professional titles	e.g., Dr., Ph.D., R.N., etc.	Alaska Wildlife Troopers	AWT
meter	m			Biological Escapement Goal	BEG
milliliter	mL	at	@	Central Gulf of Alaska	CGOA
millimeter	mm	compass directions:		Coded Wire Tag	CWT
		east	E	Commercial Fisheries Entry	
Weights and measures (English)		north	N	Commission	CFEC
cubic feet per second	ft³/s	south	S	Cook Inlet Aquaculture	
foot	ft	west	W	Association	CIAA
gallon	gal	copyright	©	Customary and Traditional	C&T
inch	in	corporate suffixes:		Department of Natural	
mile	mi	Company	Co.	Resources	DNR
nautical mile	nmi	Corporation	Corp.	Demersal Shelf Rockfish	DSR
ounce	oz	Incorporated	Inc.	Emergency Order	EO
pound	lb	Limited	Ltd.	Guideline Harvest Level	GHL
quart	qt	District of Columbia	D.C.	Gulf of Alaska	GOA
yard	yd	et alii (and others)	et al.	Global Positioning System	GPS
		et cetera (and so forth)	etc.	Individual Fishing Quota	IFQ
Time and temperature		exempli gratia		Local Area Management Plan	LAMP
day	d	(for example)	e.g.	Lower Cook Inlet	LCI
degrees Celsius	°C	Federal Information		Mean Low Water	MLW
degrees Fahrenheit	°F	Code	FIC	Mean Lower Low Water	MLLW
degrees kelvin	K	id est (that is)	i.e.	No Data	ND
hour	h	latitude or longitude	lat or long	National Marine Fisheries	
minute	min	monetary symbols		Service	NMFS
second	s	(U.S.)	\$, ¢	National Oceanic and	
		months (tables and		Atmospheric Administration	NOAA
Physics and chemistry		figures): first three		Nick Dudiak Fishing Lagoon	NDFL
all atomic symbols		letters	Jan.,...,Dec	North Pacific Fishery	
alternating current	AC	registered trademark	®	Management Council	NPFMC
ampere	A	trademark	™	Optimum Escapement Goal	OEG
calorie	cal	United States		Pelagic Shelf Rockfish	PSR
direct current	DC	(adjective)	U.S.	Prince William Sound	PWS
hertz	Hz	United States of		Prior Notice of Landing	PNOL
horsepower	hp	America (noun)	USA	Private Nonprofit Salmon	
hydrogen ion activity	pH	U.S.C.	United States	Hatchery	PNP
(negative log of)			Code	River Mile	RM
parts per million	ppm	U.S. state	use two-letter	Special Harvest Area	SHA
parts per thousand	ppt, ‰		abbreviations	Sustainable Escapement Goal	SEG
			(e.g., AK, WA)	Trail Lakes Hatchery	TLH
volts	V			Upper Cook Inlet	UCI
watts	W			Western Gulf of Alaska	WGOA

REGIONAL INFORMATION REPORT 1J21-15

**STAFF COMMENTS ON
REGULATORY PROPOSALS,
COMMITTEE OF THE WHOLE—GROUPS 1–8**

**FOR THE SOUTHEAST AND YAKUTAT FINFISH AND SHELLFISH
ALASKA BOARD OF FISHERIES MEETING**

2021/2022 MEETING CYCLE

Alaska Department of Fish and Game
Division of Sport Fish, Research and Technical Services
333 Raspberry Road, Anchorage, AK 99518–1565

December 2021

ABSTRACT

This document contains Alaska Department of Fish and Game (department) staff comments on commercial, sport, subsistence, and personal use finfish and shellfish regulatory proposals for Southeast Alaska and Yakutat. These comments were prepared by the department for use at the Alaska Board of Fisheries (board) 2021/2022 meeting cycle. The comments are forwarded to assist the public and board. The comments contained herein should be considered preliminary and subject to change as new information becomes available. Final department positions will be formulated after review of written and oral public testimony presented to the board.

Key words: Alaska Board of Fisheries (board), Alaska Department of Fish and Game (department) staff comments, Southeast Alaska, Yakutat, finfish, shellfish management, management plan, regulatory proposals, inriver, subsistence, personal use, sport, guided sport, commercial fisheries, biological escapement goal (BEG), sustainable escapement goal (SEG), optimal escapement goal (OEG)

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Summary of Department Positions, Southeast and Yakutat Board of Fisheries Meeting, 2021/2022 meeting cycle

Proposal No.	Dept. Position	Issue
80	S/N	Amend regulation to address payback provisions when the State of Alaska king salmon fisheries exceed Alaska's annual king salmon all-gear harvest ceiling.
81	N	Allocate any Alaska all gear-allocation king salmon remaining after September 1 to the commercial troll fishery.
82	N/S	Amend the Southeast Alaska King Salmon Management Plan to align with the provisions of the 2019–2028 Pacific Salmon Treaty annex.
83	N	Amend the Southeast Alaska King Salmon Management Plan to manage for an average sport harvest of 20% of the sport/troll allocation with commensurate regulations addressing sport fishery overages in the commercial troll fishery.
84	N	Amend the Southeast Alaska King Salmon Management Plan to ensure no closure of the resident king salmon fishery due to allocation concerns.
85	N	Amend the Southeast Alaska King Salmon Management Plan to manage for a resident priority by implementing closed periods and reducing bag limits for nonresidents.
86	N	Amend the Southeast Alaska King Salmon Management Plan to manage for a resident priority by implementing closed periods and reducing bag limits for nonresidents.
87	N/O	Make numerous changes to management of commercial troll and sport fisheries for king salmon in Southeast Alaska.
88	N	Amend the Southeast Alaska King Salmon Management Plan to manage for a sliding sport allocation between 16 and 24 percent with commensurate commercial troll fishery allocation modification under commercial regulation.
89	O	Allow the use of two additional fishing lines during periods of king salmon nonretention in all of the Southeast-Yakutat area if there is more than one CFEC power troll permit holder on board the vessel.
90	O	Change trigger to from an annual abundance index (AI) number to a District 13 early-winter power troll CPUE tier.
91	N	Reallocate the annual troll harvest allocation between the winter, spring, and summer troll fisheries.
92	O	Allow retention of king salmon greater than 26 inches in hatchery terminal harvest areas by commercial trollers
93	O	Amend the Southeast Alaska King Salmon Management Plan by reducing the maximum nonresident annual limit to three king salmon.
94	O	Amend the Southeast Alaska King Salmon Management Plan to manage for a resident priority by implementing specific closed periods and reducing annual limits for nonresidents.
95	N	Amend the Southeast Alaska King Salmon Management Plan to provide for inseason liberalization of management measures when the sport fish allocation will not be met.
96	N	Expand waters of Herring Bay Terminal Harvest Area open to commercial troll fishing
97	N	Establish waters closed to commercial purse seine and drift gillnet gear but open to commercial troll gear in the Anita Bay Terminal Harvest Area when spring troll areas in District 6 and 8 are closed.

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Proposal No.	Dept. Position	Issue
98	N	Change the ratio of drift gillnet to purse seine openings from 2:1 to 1:2 in the Anita Bay Terminal Harvest Area.
99	N/S	Establish a gear rotation between purse seine and troll gear in the Southeast Cove Terminal Harvest area.
100	N	Remove drift gillnet gear from allowed gear to participate in the Southeast Cove THA common property fisheries.
101	O	Modify management plan to further consider potential effect of hatchery-produced salmon on wild-stock salmon.
102	N	Change the ratio of drift gillnet to purse seine openings from 2:1 to 1:2 in the Deep Inlet Terminal Harvest Area.
103	O	Modify net gear allocation guidelines to further consider potential effect of hatchery-produced salmon on wild-stock salmon and wild-stock salmon management.
104	O	Create a management plan for hatchery returns to Burnett Inlet.
105	N/S	Create a management plan for hatchery returns to Port Saint Nicholas.
106	N	Modify boundaries of the Port Saint Nicholas Special Harvest Area and allow use of drift gillnet gear for cost recovery operations.
107	N/S	Create a management plan for hatchery returns to Port Asumcion.
108	S	Create a special harvest area for Port Asumcion.
109	S	Establish a hatchery special harvest area in Carroll Inlet.
110	N	Require reporting and recovery of lost drift gillnet gear.
111	O	Change the maximum drift gillnet mesh size during periods established by emergency order from 6 inches to 6 and one-eight inches.
112	N/O	Provide the department authority to allow drift gillnets of up to 90 meshes in depth to be used in the District 11 drift gillnet fishery beginning in SW 34.
113	O	Change the maximum mesh size during periods established by emergency order from 6 inches to a range of five and one-quarter to 6 inches and define dates in Districts 6, 8 and 11 when the mesh size will be implemented.
114	N	Allow the use of fishing rods in conjunction with downriggers by hand trollers.
115	O/N	Modify the start date of the winter troll fishery.
116	O	Require retention of king salmon caught during periods of nonretention to be retained if they are deemed too injured to be released and set price at one dollar for selling retained fish.
276	O/N	Allow for the retention of salmon during periods of commercial nonretention when the sport fishery in the area is open for that species.
117	N	Allow trollers the use of two additional fishing lines in designated chum troll fishing areas in August and September.
118	N/O	Modify the boundaries of Districts 6 and 8 in Sumner Strait.
119	N/S	Create a new section in District 6 and reimplement the Section 6-D Pink Salmon Management Plan.
120	O/N	Remove Section 6-D closure to fishing with drift gillnet gear during the month of August.
121	N	Establish waters closed to commercial drift gillnet fishing in and around Coffman Cove.
122	N/S	Remove sunset date so regulation remains in effect.
123	N/S	Remove the sunset date so regulation remains in effect and change effective end date of the plan from July 22 to July 15.

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Proposal No.	Dept. Position	Issue
124	N/S	Establish additional guidelines for the department to manage the District 12 purse seine fishery north of Point Marsden.
125	N	Clarify language for subsistence take of coho and king salmon.
126	N	Repeal net tending requirement in Yakutat Bay.
127	N	Repeal net tending requirement in Yakutat Bay.
128	N	Allow use of set gillnets in all Southeast Alaska area subsistence salmon fisheries.
129	O/N	Modify closed waters and remove coho salmon annual limit for the Klawock River.
130	O/N	Modify fishing times and locations for subsistence salmon fishery in the Klawock River and Lake.
131	N	Modify fishing area and add hand purse seine as legal gear for the Redoubt Bay and Lake subsistence salmon fishery.
132	N	Prohibit the use of spears in Redoubt Bay and Lake subsistence fishery from June 21 to August 1.
133	S	Allow the use of seine and gillnet gear in the waters of Redoubt Bay that are open to commercial salmon fish
134	N/S	Prohibit obstructing more than half of the stream, creek, or river when personal use fishing.
135	N/O	Allow permits to be issued for the personal use taking of king and coho salmon.
136	O	Include commercial harvested salmon to fish that may not be possessed on the same day sport or personal use salmon are taken.
137	N	Prohibit personal use proxy permits at Sweetheart Creek.
138	N/O	Create salmon personal use fisheries in marine waters of the Juneau Management Area.
139	N/O	Modify where personal use fishing can occur in the Taku River to include all of Section 11-B and remove dates when the fishery can occur.
140	N/O	Add section 11-B as a personal use salmon fishing area when the area is closed to the commercial drift gillnet fishery.
141	N/O	Add section 11-B as a personal use salmon fishing area when the area is closed to the commercial drift gillnet fishery.
142	N/S	Establish bag and possession limits and lawful gear for smelt fishing in the Ketchikan area
143	O	Require inseason reporting of nonresident sport fish harvest.
144	O	Establish a logbook program for rental vessels used in Southeast Alaska sport fisheries.
277	--	Align bag limits for non-resident unguided halibut harvest from rental vessels in Southeast Alaska with NOAA bag limits for guided anglers in Halibut Management Area 2C.
145	O	Establish nonresident bag, possession, and annual limits for coho and sockeye salmon in the fresh and salt waters of the Southeast Alaska Area.
146	O	Establish nonresident bag and possession limits for coho, sockeye, chum, and pink salmon in salt waters of the Southeast Alaska Area.
147	O	Establish nonresident bag and possession limits for coho salmon in the fresh waters east of the longitude of Cape Fairweather.
148	O	Establish nonresident bag and possession limits for sockeye, chum, and pink salmon in fresh waters of the Southeast Alaska Area.
149	S	Reduce saltwater coho salmon bag and possession limit in Puget Cove to two fish.

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Proposal No.	Dept. Position	Issue
150	S	Repeal rainbow trout size limits in Crystal, Glacier, and Moraine lakes.
151	O	Prohibit guided sport fishing on the Salmon River near Gustavus.
152	O	Close sport fishing in a section of 108 Creek.
153	O	Close sport fishing in a section of Log Jam Creek.
154	O	Allow the use of bow and arrow in Southeast Alaska sport fisheries.
155	N/O	Prohibit the removal of salmon from the water when nonretention regulations apply and prohibit the use of a multiple hook in Southeast Alaska sport fisheries.
156	N	Modify harvest rate control rule for Sitka Sound sac roe herring fishery.
157	O	Modify harvest rate for Sitka Sound commercial sac roe herring fishery based on forecasted age structure.
158	O	Incorporate forecasted age structure into Sitka Sound commercial sac roe herring fishery spawning biomass threshold.
159	N	Repeal this regulation related to management of the commercial sac roe herring fishery in Sitka Sound
160	N	Reduce closed waters in the Sitka Sound commercial sac roe herring fishery.
161	N	Require a subsistence fishing permit to harvest herring roe on branches in the Sitka Sound area.
162	N	Increase the possession limit for subsistence spawn-on-kelp harvest.
163	N	Establish equal share quotas for the Sitka sac roe purse seine fishery.
164	N	Establish equal share quotas for the Sitka Sound sac roe herring purse seine fishery.
165	N	Allow unharvested Sitka sac roe quota to be harvested for food and bait by herring sac roe purse seine permit holders.
166	N	Create an open pound herring spawn on kelp fishery in Sitka Sound.
167	O/N	Redefine the boundaries of the Hoonah Sound spawn-on-kelp fishery (13-C) and the Sitka sac roe fishery (13-A/B).
168	N	Repeal commercial set gillnet sac roe herring fisheries in Section 1-F.
169	N	Repeal commercial set gillnet sac roe herring fisheries in Sections 1-E and 1-F.
233	N	Remove districts 13-A and 13-B from Northern Southeast herring spawn on kelp pound fishery administrative area.
215	O	Align state waters sablefish fishing season with federal sablefish fishing season.
216	O	Extend sablefish fishing season to December 15.
217	N	Adjust lingcod bycatch allocations between groundfish and salmon fisheries.
218	S	Establish registration requirements for the Pacific cod directed fishery.
219	S	Clarify lawful gear for rockfish retention.
220	S	Allow pot gear in the Northern Southeast Inside Subdistrict sablefish commercial fishery.
221	S	Reduce the minimum inside diameter of circular escape rings from four inches to three and three-fourths of an inch on pots used to take sablefish.
222	S	Require CFEC permit holders fishing for groundfish or halibut using hook-and-line, pot, or jig gear in the Eastern Gulf of Alaska Area to retain and land all rockfish, including thornyhead rockfish.
223	S	Establish and clarify gear specifications of a groundfish pot for the subsistence and personal use sablefish fisheries.
224	O	Allow rod and reel as lawful gear to harvest rockfish for personal use.

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Proposal No.	Dept. Position	Issue
225	N	Modify sablefish bag, possession, and nonresident annual limits based on sablefish abundance in NSEI and SSEI sections.
226	N	Establish bag and possession limit for slope rockfish.
227	O	Reduce the nonpelagic rockfish bag and possession limits and prohibit retention of yellow rockfish.
228	O/N	Reduce the nonpelagic rockfish bag and possession limits and prohibit the retention of yelloweye rockfish by nonresidents in the SSEI Section.
229	N	Establish lingcod bag, possession, size, and annual limits for nonresidents in the Central Southeast Outside Waters section.
230	O	Amend the Demersal shelf rockfish delegation of authority and provisions for management to provide a resident priority.
231	N	Amend harvest record recording requirements for lingcod.
232	O	Create a new spiny dogfish pot fishery in Southeast Alaska.
190	O/N	Amend the Red King Crab Management Plan to include trip limits and equal share quotas when harvestable surplus is below threshold.
191	O/N	Amend the Southeast Alaska Red King Crab Management Plan to base harvestable surplus on historical fishery performance information when surveys are not available
192	O	Establish minimum guideline harvest level and guidance on inseason adjustment of guideline harvest levels in the Southeast Alaska golden king crab fishery.
193	S	Extend northern boundary of the Southern management area.
194	S	Remove Glacier Bay from the list of blue king crab fishing areas within Registration Area A.
195	S/O	Extend Tanner crab fishing season in exploratory areas.
196	S	Reduce the commercial golden king crab pot limit in waters of Registration Area A from 100 pots per vessel to 80 pots per vessel.
197	N/O	Modify Tanner crab harvest strategy definition of core, non-core, and exploratory areas.
198	O	Establish fixed start date for the Registration Area A commercial Tanner crab fishery.
199	O	Allow operation of personal use, subsistence, or sport Dungeness crab and shrimp pot gear during the commercial king or Tanner crab fishery.
200	O/N	Close the Dungeness crab commercial and nonresident sport fisheries in the vicinity of Klawock.
201	O/N	Expand closed water boundary lines for the Dungeness crab commercial fishery in the Sitka Sound Special Use Area during the summer season.
202	S/N	Reduce waters closed to Dungeness crab commercial fishing in Tenakee Inlet.
203	S/N	Repeal closed waters for Dungeness crab commercial fishing in Merrifield Bay and Port Protection.
204	O	Close the Dungeness crab sport fishery in the vicinity of Coffman Cove.
205	O/N	Close waters in Coffman Cove to commercial fishing for Dungeness crab.
206	O	Close the Dungeness crab sport fishery in the vicinity of Whale Pass.
207	O/N	Close waters in Whale Pass to commercial fishing for Dungeness crab.
208	O/N	Close waters in Kasaan Bay to commercial fishing for Dungeness crab.
209	O	Reduce the number of crab pots allowed and the Dungeness crab bag limit for nonresident anglers in District 3.

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Proposal No.	Dept. Position	Issue
210	O/N	Establish waters closed to commercial fishing for Dungeness crab in Sukwaan Strait.
211	N	Repeal and amend Dungeness crab fishing season in Sitka Sound Special Use Area.
212	N	Extend pot storage allowance after fishery closure.
213	N	Extend pot storage allowance after fishery closure.
214	S	Clarify that Dungeness crab pots are circular in shape.
170	N	Establish a positive customary and traditional use finding for shellfish and plants for all intertidal areas of Southeast Alaska and Yakutat.
171	S/N	Change the start of the pot shrimp season from October to after March.
172	S/N	Change the pot shrimp fishery from a fall/winter season to a spring/summer season.
173	S/N	Change the pot shrimp fishery from a fall/winter season to a spring/summer season.
174	S/N	Change the pot shrimp season in Districts 2 and 6 from a fall/winter season to spring/summer season.
175	N	Limit the number of shrimp pots that may be deployed on a longline to 10.
176	N	Reduce the number of shrimp pots that a vessel may fish.
177	N	Establish closed waters in the Hydaburg area of Section 3-A.
178	N	Expand waters closed to commercial pot shrimp fishery in Kasaan Bay.
179	N	Expand waters closed to commercial pot shrimp fishery in Twelve-Mile Arm.
241	O	Define shrimp.
180	O	Repeal observer coverage requirement.
181	O	Open a directed sidestripe beam trawl fishery in District 8 for remainder of November-February season once the directed shrimp beam trawl fishery has closed.
182	S	Divide the District 15 GHR into two fishing areas with distinct GHRs for the new areas.
183	O	Establish tunnel eye size requirements for ridged mesh shrimp pots in the personal use and sport fisheries.
184	S	Clarify the practice of long-lining shrimp pots in the sport fishery.
185	O	Allow the use of artificial lights as an attractant when taking squid.
186	O	Allow the take of squid with hook and line gear with an unlimited number of hooks.
187	N	Allow the department to modify weekly fishing periods by emergency order during the weeks of Christmas and New Year's Day.
188	S	Change the start of the sea cucumber fishery from October 1 to the first Monday or Tuesday of October.
189	N	Allow the department to increase the number of divers allowed to fish from a vessel from two to four by emergency order.

To minimize the time stakeholders and staff need to attend, the Southeast and Yakutat Finfish and Shellfish meeting is conducted in two sessions. The board intends to handle all salmon, herring, and all other non-groundfish finfish proposals during a first session of the meeting, and groundfish and shellfish proposals during a second session. Each session will include related ethics disclosures, staff reports, oral public testimony, committees, and deliberations for those proposals. Once all matters related to Session One are complete the board will take up Session Two proposals.

**SESSION ONE – SALMON, HERRING, AND ALL OTHER
NON-GROUNDFISH FINFISH**

COMMITTEE OF THE WHOLE – GROUP 1: KING SALMON (16 proposals – Chair TBD)

King Salmon (16 Proposals)

PROPOSAL 80 – 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska - Yakutat Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The department would be provided direction in addressing allocations of king salmon among the commercial and sport fisheries in subsequent seasons should one or more of those groups exceed their allocation, causing the PST all-gear catch limit to be exceeded. This would also provide inseason guidance in the allowance of a gear group to exceed their allocation(s), affording Alaska the opportunity to maximize harvest of the SEAK king salmon all-gear catch limit.

WHAT ARE THE CURRENT REGULATIONS? Harvest allocations of the annual PST all-gear catch-limit for each SEAK king salmon fishery are set as: purse seine is allocated 4.3%, drift gillnet 2.9%, and set gillnet 1,000 king salmon, with the troll and sport fisheries taking 80% and 20%, respectively, of the remaining PST all-gear catch limit. There are no domestic provisions to address overages by any gear group.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department would have direction on how Alaska's all-gear catch limit would be allocated if the prior year's PST all-gear catch limit was exceeded and payback provisions were required under the PST.

BACKGROUND: The PST was signed in 1985 which established multi-species harvest sharing arrangements between the United States and Canada and king salmon catch limits for each country. A new 10-year agreement was implemented in 1999 that replaced the fixed king salmon catch limit established in the 1985 agreement with an aggregate abundance-based management regime (AABM) for the SEAK king salmon fisheries. Subsequently, revised 10-year agreements were implemented in 2009 including a 15% reduction of Alaska's all gear catch limit and in 2019 up to a 7.5% reduction of Alaska's all-gear catch limit. Several significant changes were included in the 2019 PST. The first is the use of the early winter troll CPUE model instead of the abundance index derived from the Pacific Salmon Commission's (PSC) Chinook model to set preseason catch limits. This new method uses SEAK troll fishery CPUE data from the early winter season to determine which of seven possible levels of abundance and catch limits will be implemented for a given fishing year. As a result, the *Southeast Alaska King Salmon Management Plan* required revision to align the prescribed management actions with the newly adopted catch per unit effort model tiers.

The second significant change was the addition of a payback provision requiring that any overage of Alaska's all-gear catch limit be subtracted from Alaska's all-gear catch limit the following year. Underages may not be accumulated, and overages in the current year must be subtracted from the following year's all-gear catch limit.

The third significant change was the removal of the requirement to adhere to the current regulations for allocation among gear types, referred to in the PST as the "standardized fishing regime." Although removal of provisions of the standardized fishing regime may allow for some new

flexibility to deploy fisheries, a newly adopted limit for incidental mortality of 59,400 will likely limit flexibility to make large allocative changes across gear types. Furthermore, the 2019 PST agreement includes a commitment to discuss within the Commission significant management changes that a Party is considering that may alter the stock or age composition and incidental mortality of a fishery regime's catch. King salmon allocations were first set in 1987 when net fisheries were allocated 20,000 king salmon and the troll fishery was allocated the remainder of the allowable catch (AC). In 1992, the troll and sport fishery allocations were established at 83% and 17%, respectively. The sport fishery was placed on an annual increasing allocation schedule beginning in 1994 at 18%, increasing to 19% in 1995, and to the current level of 20% in 1996. In 2003, the board revised the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) by repealing the regulation requiring the department to restrict or expand the commercial troll fishery in response to yearly overages and underages in the sport fishery.

In September 2020, the commissioner authorized a re-allocation of SEAK king salmon between gear groups. The remaining treaty allocation included an estimated 13,370 unharvested fish from both the commercial net and sport fisheries, most notably the sport fishery, which was well under its allocation largely due to travel restrictions associated with COVID-19. Notwithstanding the complete harvest of the annual troll allocation on August 31, the second summer king salmon retention period remained open to harvest the remaining king salmon all-gear catch limit. This transfer of allocation was not discussed within the Commission *a priori* and to avoid threats of legal action Alaska agreed to communicate all future transfers of catch allocation in advance.

Through well-coordinated and effective management regimes, Alaska was able to maximize harvest of its all-gear catch limit in each of the past two seasons without exceeding preseason harvest limits.

Although Alaska does not intend to exceed annual catch limits, a marginal degree of overage may occur. Given this, the department is asking the board to establish provisions in regulation to address the allocation of overages and payback among gear groups. In addition, to maximize harvest of the all-gear catch limit, there will need to be provisions to allow a gear group to exceed its allocation. Historical allocations and catches of PST king salmon and deviations from allocations by gear type are presented in Tables 80-1–3.

DEPARTMENT COMMENTS: The department **SUPPORTS** establishing provisions in regulation to address overages and payback and is **NEUTRAL** on the allocative aspects of this proposal and. In addition to payback provisions, there will need to be provisions to allow a gear group to exceed its allocation(s) for Alaska to maximize harvest of the all-gear catch limit.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 80-1.—Annual allocations of treaty king salmon in SEAK fisheries, 1999–2020.

Year	All-Gear	Purse Seine	Drift Gillnet	Set Gillnet	Troll	Sport
1999	192,800	8,290	5,591	1,000	142,335	35,584
2000	189,900	8,166	5,507	1,000	140,182	35,045
2001	189,900	8,166	5,507	1,000	140,182	35,045
2002	356,500	15,330	10,339	1,000	263,866	65,966
2003	366,100	15,742	10,617	1,000	270,993	67,748
2004	383,500	16,491	11,122	1,000	283,910	70,978
2005	416,400	17,905	12,076	1,000	308,335	77,084
2006	346,800	14,912	10,057	1,000	256,664	64,166
2007	329,400	14,164	9,553	1,000	243,747	60,937
2008	170,000	7,310	4,930	1,000	125,408	31,352
2009	218,800	9,408	6,345	1,000	161,637	40,409
2010	221,800	9,537	6,432	1,000	163,864	40,966
2011	294,800	12,676	8,549	1,000	218,060	54,515
2012	266,800	11,472	7,737	1,000	197,272	49,318
2013	176,000	7,568	5,104	1,000	129,862	32,466
2014	439,400	18,894	12,743	1,000	325,411	81,353
2015	237,000	10,191	6,873	1,000	175,149	43,787
2016	355,600	15,291	10,312	1,000	263,197	65,799
2017	209,700	9,017	6,081	1,000	154,881	38,720
2018	130,000	5,590	3,770	1,000	95,712	23,928
2019	140,323	6,034	4,069	1,000	103,376	25,844
2020	205,165	8,822	5,950	1,000	151,514	37,878
1999–2020 Avg	265,304	11,408	7,694	1,000	196,162	49,040

Table 80-2.—Annual harvests of treaty king salmon in SEAK fisheries, 1999–2020.

Year	All-gear	Purse Seine	Drift Gillnet	Set Gillnet	Troll	Sport
1999	198,842	5,968	4,976	2,000	132,741	53,158
2000	186,493	4,587	4,504	2,000	133,963	41,439
2001	186,919	5,498	6,002	2,002	128,692	44,725
2002	357,133	6,144	5,353	2,000	298,132	45,504
2003	380,152	17,624	3,634	2,276	307,380	49,239
2004	417,019	28,660	8,782	2,288	321,876	55,413
2005	388,640	13,288	6,443	688	304,891	63,330
2006	360,094	15,592	10,593	554	263,980	69,375
2007	328,268	17,134	7,093	1,269	240,474	62,298
2008	172,905	4,086	9,301	563	126,352	32,603
2009	227,954	13,909	6,389	411	159,126	48,120
2010	230,611	3,368	4,671	275	177,982	44,315
2011	291,161	9,555	6,323	532	220,787	53,964
2012	242,821	6,639	6,493	414	191,553	37,722
2013	191,388	6,623	5,982	900	134,580	43,304
2014	435,195	16,003	4,963	263	340,015	73,951
2015	335,026	11,768	6,537	462	251,086	65,174
2016	350,704	20,288	4,697	230	266,048	59,442
2017	175,414	2,936	4,295	367	123,691	44,125
2018	127,776	910	4,067	86	101,469	21,243
2019	140,307	9,356	3,042	246	103,067	24,596
2020	204,527	5,438	2,900	251	165,373	30,565
1999–2020 Avg	269,516	10,244	5,775	913	204,239	48,346

Table 80-3.—Annual deviations from allocations of treaty king salmon in SEAK fisheries, 1999–2020.

Year	All-gear	Purse Seine	Drift Gillnet	Set Gillnet	Troll	Sport
1999	6,042	-2,323	-616	1,000	-9,593	17,574
2000	-3,407	-3,579	-1,003	1,000	-6,219	6,394
2001	-2,981	-2,668	495	1,002	-11,490	9,680
2002	633	-9,186	-4,985	1,000	34,266	-20,462
2003	14,052	1,882	-6,983	1,276	36,387	-18,509
2004	33,519	12,170	-2,339	1,288	37,965	-15,565
2005	-27,760	-4,618	-5,633	-312	-3,444	-13,753
2006	13,294	679	536	-446	7,315	5,209
2007	-1,132	2,970	-2,459	269	-3,273	1,361
2008	2,905	-3,224	4,371	-437	944	1,251
2009	9,154	4,501	43	-589	-2,511	7,710
2010	8,811	-6,170	-1,761	-725	14,118	3,349
2011	-3,639	-3,122	-2,226	-468	2,728	-551
2012	-23,979	-4,834	-1,244	-586	-5,719	-11,596
2013	15,388	-945	878	-100	4,718	10,839
2014	-4,205	-2,892	-7,780	-737	14,605	-7,401
2015	98,026	1,577	-336	-538	75,937	21,387
2016	-4,896	4,997	-5,615	-770	2,850	-6,358
2017	-34,286	-6,081	-1,787	-633	-31,190	5,405
2018	-2,224	-4,680	297	-914	5,757	-2,685
2019	-16	3,322	-1,027	-754	-309	-1,248
2020	-638	-3,384	-3,050	-749	13,859	-7,313
1999–2020 Avg	4,212	-1,164	-1,919	-87	8,077	-695

PROPOSAL 81 – 5 AAC 29.100. Management of the summer king salmon troll fishery.

PROPOSED BY: Steve Merritt.

WHAT WOULD THE PROPOSAL DO? Allocate any remaining portion of the annual SEAK king salmon all-gear catch limit that will not be harvested by the end of the season to the commercial troll fishery after September 1.

WHAT ARE THE CURRENT REGULATIONS? Harvest allocations of the annual all-gear catch-limit for each SEAK king salmon fishery are set as: purse seine is allocated 4.3%, drift gillnet 2.9%, and set gillnet 1,000 king salmon, with the troll and sport fisheries taking 80% and 20%, respectively, of the remaining all-gear catch limit.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? After September 1, if the department determines that any of the commercial purse seine, drift gillnet, set gillnet, or sport fishery allocations will not be taken, the troll fishery would be provided an additional opportunity to harvest salmon in excess of the troll allocation by taking any remaining all-gear catch limit that would otherwise go unharvested.

BACKGROUND: Because both Proposals 80 and 81 address allocation of king salmon, background narrative and data tables relating to this proposal are provided in Proposal 80.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal changes to the current allocation of Alaska's all-gear harvest limit among user groups would need to be discussed within the Pacific Salmon Commission and demonstrated not to significantly change the stock or age composition and incidental mortality of the all-gear harvest.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 82 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This seeks to align the *Southeast Alaska King Salmon Management Plan* with provisions of the Pacific Salmon Treaty (PST) that was renewed in 2019. Provisions have been added to the plan which would reduce harvest opportunity in management tiers (f) and (g) in the event that management measures for wild stock conservation are no longer necessary. Regulatory language adopted by the board in 2019 has been simplified by consolidating the provisions allowing for a two fish resident bag limit in those areas closed for conservation of wild Alaska king salmon once they are reopened within management tiers (f) and (g), this does not change current regulation but provides regulatory clarity. Regulatory language adopted by the board in 2019, directing the department to restrict nonresidents prior to restricting residents within management tiers (f), (g), and (h) has been simplified for regulatory clarity but this is not a change from current regulation. Language has been added to clarify that inseason management action may be used to achieve the sport allocation, while conflicting guidance in 5 AAC 47.055 (b)(1) remains in the plan and continues to direct the department to manage the sport fishery to an average allocation.

WHAT ARE THE CURRENT REGULATIONS? The king salmon all-gear catch limit for all Southeast Alaska (SEAK) fisheries is established under the terms of the PST and is allocated domestically in accordance with the *Allocation of king salmon in the Southeastern Alaska-Yakutat Area* (5 AAC 29.060). The sport fishery receives an allocation of 20% of the all-gear catch limit after the allocation to commercial net fisheries has been subtracted. The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.005) directs the management of the sport fishery by specifying regionwide bag limits for resident and nonresident anglers and annual limits for nonresident anglers at various levels of king salmon abundance, as measured by the SEAK early winter troll catch per unit effort (CPUE). The corresponding allocation to the sport fishery is defined under each management tier. Current bag, possession, annual limits, and other management prescriptions are listed by tier in Table 82-1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would align the *Southeast Alaska King Salmon Management Plan* with provisions of the renegotiated PST (2019–2028). Regulatory language the board enacted in response to Proposal 176 during January 2019 AYK meeting is clarified without changing the effect. Per request of the board this proposal was submitted to allow continued discussion on those management tiers which were not addressed during the 2019 AYK meeting. The department seeks the boards clarification on the use of inseason management to annually achieve the sport allocation under all management tiers, without modification of (b)(1) conflicting guidance remains on whether the department should manage the sport fishery to attain an average harvest of 20% of the annual harvest ceiling across years or annually manage to harvest 20% of the annual harvest ceiling.

BACKGROUND: In August of 2018, the PST was renegotiated for the next 10-year period (2019–2028) and included up to a 7.5% reduction of Alaska’s all-gear catch limit. One significant change in the PST is the use of the early winter troll CPUE model instead of the abundance index derived from the Pacific Salmon Commission’s Chinook model. As a result, the *Southeast Alaska King Salmon Management Plan* required revision to align the prescribed management actions with the newly adopted CPUE model tiers. Another significant change in the PST was the addition of a payback provision requiring that any overage of Alaska’s all-gear catch limit be subtracted from Alaska’s all-gear catch limit the following year. Previously the sport fishery has been directed to

manage for an average allocation across years; often under harvesting the sport allocation during high abundance years and exceeding its allocation in low abundance years. On average between 2009 and 2018 the sport fishery harvested 21.2% of the all-gear catch limit less the net harvest (ranging between 15.3% and 29.8%). Under the new PST agreement, exceeding the sport catch limit would require the absorption of unused king salmon catch limit from another Southeast Alaska (SEAK) fishery or the Alaska all-gear catch limit would be reduced the following year. Proposals 82, 83, 84, 85, 86, 88, and 94 recommend actions to modify the *Southeast Alaska King Salmon Management Plan* in response to changes made to the 2019–2028 PST.

In January 2019, the board took up Proposal 176 (previously Agenda Change Request 9) to modify the *Southeast Alaska King Salmon Management Plan*. Understanding that it would be best to address the plan during the 2021 Southeast Alaska and Yakutat board meeting but that immediate action was needed, the board modified three sections of the plan that would most likely cover the anticipated abundance indices occurring in 2019 and 2020 and adopted the proposal as amended. For the three sections of the plan, board modified language was added directing the department to use inseason management to avoid exceeding the sport allocation while also providing a priority for resident anglers in this event. The objectives listed in the *Southeast Alaska King Salmon Management Plan* continue to direct the department to manage the sport fishery for an average allocation.

Numerous changes to the *Southeast Alaska King Salmon Management Plan* have occurred since inception in 1992 including various methods of distributing the SEAK all-gear catch limit in the event of an overage or underage in the sport fishery. A detailed description of the regulatory history is available in “*Overview of the Sport Fisheries for King Salmon in Southeast Alaska through 2020: A Report to the Board of Fisheries*”.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department **SUPPORTS** modification of the management plan which will bring the management of the sport fishery into alignment with the updated framework of the SEAK all-gear catch limit and resulting sport allocation, resulting from the changes adopted within the PST that was renewed in 2019. Modifying the objective of the *Southeast Alaska King Salmon Management Plan* to manage the sport fishery for an inseason harvest limit as opposed to an average allocation will likely require the use of inseason changes to bag, possession and, annual limits and the use of nonretention periods. To avoid exceeding an annual allocation requires the department to project inseason the anticipated sport harvest for the season. These projections are subject to statistical variance requiring the department to manage conservatively to avoid exceeding the annual allocation. The department has concerns if actions are taken to reduce flexibility to achieve escapement goals of Alaska stocks during times of low abundance.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 82-1.—Current sport fish management actions prescribed by the *Southeast Alaska King Salmon Management Plan* for each management tier (5 AAC 47.055).

Management tier	CPUE- based tier	Sport allocation	Resident bag limit	Nonresident bag limit	Nonresident annual/harvest limit	Use of two rods in winter	During wild stock conservation measures
c	20.5 and above	69,000	3	2 in May All other times bag limit of 1	5	October 1–March 31 all sport anglers may use two rods when fishing for salmon	
d	less than 20.5 to 8.7	61,900	3	1	4	October 1–March 31 all sport anglers may use two rods when fishing for salmon Resident anglers may use two rods when fishing for king salmon between October 1–March 31	
e	less than 8.7 to 6.0	49,300	2	1	3	Resident anglers may use two rods when fishing for king salmon between October 1–March 31	
f	less than 6.0 to 3.8	37,900	1	1	January 1–June 30 = 3 July 1–July 7 = 2 July 8–December 31 = 1	Resident anglers may use two rods when fishing for king salmon between October 1–March 31	In areas where king salmon was closed to retention to protect Alaska wild stocks, once reopened the resident bag limit increases to 2.
g	less than 3.8 to 2.6	25,800	1	1	January 1–June 30 = 3 July 1–December 31 = 1	N/A	In areas where king salmon was closed to retention to protect Alaska wild stocks, once reopened the resident bag limit increases to 2.
h	less than 2.6 to 2.0	20,600	1	July 1–August 15 = no retention All other times bag limit of 1	January 1–June 15 = 2 June 16–December 31 = 1	N/A	
i	less than 2.0	*	*	*	*	*	*

*To be determined

PROPOSAL 83 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.

PROPOSED BY: Southeast Alaska Guides Organization.

WHAT WOULD THE PROPOSAL DO? The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) would be modified by directing the department to manage the sport fishery to an average allocation across years rather than using inseason management to obtain a specific allocation per year. Specific bag, possession, annual limits, and other management measures have been proposed for each management tier to achieve the average allocation.

For Alaska fisheries to remain within the annual Alaska all-gear catch limit this proposal recommends the allocation to the commercial troll fishery be adjusted up or down as needed to account for overages or underages in the sport fishery.

WHAT ARE THE CURRENT REGULATIONS? In accordance with the *Allocation of king salmon in the Southeastern Alaska-Yakutat Area* (5 AAC 29.060), the sport fishery receives an allocation of 20% of the Alaska all-gear king salmon catch limit after subtracting the allocation to commercial net fisheries. The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.005) directs the management of the sport fishery by specifying regionwide bag limits for resident and nonresident anglers and annual limits for nonresident anglers at various levels of king salmon abundance, as measured by the SEAK early winter troll catch per unit effort. The corresponding allocation to the sport fishery is defined under each management tier. The direction to the department to take inseason management action to ensure the sport fishery does not exceed the defined allocation is inconsistent. Under management tiers in 5 AAC 47.055 (f), (g), and (h), when the early winter troll CPUE is below 6.0 but above 2.0 the department is directed to take inseason action to achieve the allocation. However, within the stated objectives of the plan 5 AAC 47.055 (b)(1) the department is directed to manage the sport fishery to achieve an average allocation across years. Current bag, possession, annual limits, and other management prescriptions are listed by tier in Table 82-1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would likely result in the sport fishery exceeding its allocation in low abundance years while falling short of its allocation during high abundance years. The department would not use inseason management to achieve the sport fish allocation but would continue to use EO authority to protect the sustainability of Alaska wild stock king salmon when necessary. The allocation to the commercial troll fishery would be modified inseason to account for any overages or underages in the sport fishery on an annual basis so to avoid exceeding the SEAK all-gear catch limit.

When compared to existing regulations, the proposed management measures for the sport fishery would decrease harvest opportunity for nonresidents at high abundance tiers while increasing harvest opportunity for nonresidents at the low abundance tiers. The resident bag limit would increase to two fish under tier (f) and provisions added to tier (h) would allow an increase in the resident bag limit in areas where king salmon retention was prohibited for the protection of SEAK wild stocks once those areas reopen. Provisions allowing the use of two rods between October 1 and March 31 have been removed from the applicable management tiers. Table 83-1 presents the proposed management actions by tier.

BACKGROUND: Proposals 82, 83, 84, 85, 86, 88, and 94 recommend actions to modify the *Southeast Alaska King Salmon Management Plan* in response to changes made to the 2019–2028

PST that was renewed in 2019. Background information provided within Proposal 82 applies to this proposal.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This said, the department has concerns if actions are taken to reduce flexibility to achieve escapement goals of Alaska stocks during times of low abundance. The reallocation of Alaska's all-gear catch limit between user groups would need to be discussed within the Pacific Salmon Commission.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 83-1.–Proposed modifications to the management prescriptions within the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) by Proposal 83, changes from the current plan are shaded.

Management tier	CPUE-based tier	Sport allocation	Resident bag limit	Nonresident bag limit	Nonresident annual limit	Use of two rods in winter	During wild stock conservation measures
c	20.5 and above	69,000	3	1	3	N/A	
d	less than 20.5 to 8.7	61,900	3	1	3	N/A	
e	less than 8.7 to 6.0	49,300	2	1	3	N/A	
f	less than 6.0 to 3.8	37,900	2	1	January 1–June 30 = 3 July 1–July 31 = 2 August 1–December 31 = 1	N/A	N/A
g	less than 3.8 to 2.6	25,800	1	1	January 1–June 30 = 3 July 1–July 31 = 2 August 1–December 31 = 1	N/A	In areas where king salmon was closed to retention to protect Alaska wild stocks, once reopened the resident bag limit increases to 2
h	less than 2.6 to 2.0	20,600	1	1	January 1–June 30 = 3 July 1–July 31 = 2 August 1–December 31 = 1	N/A	In areas where king salmon was closed to retention to protect Alaska wild stocks, once reopened the resident bag limit increases to 2
i	less than 2.0	*	*	*	*	*	*

*to be determined

PROPOSAL 84 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.

PROPOSED BY: Jesse Walker.

WHAT WOULD THE PROPOSAL DO? This would implement management actions reducing nonresident harvest opportunity to ensure no closure of the resident king salmon fishery will be necessary to keep the sport fishery within its allocation. Recommended actions include reducing nonresident king salmon annual limits after June 15 and implementing partial week fishing closures. Additionally, this would require guides and lodges to electronically report catch daily.

WHAT ARE THE CURRENT REGULATIONS? The king salmon harvest ceiling for all SEAK fisheries is established under the terms of the PST and is allocated domestically in accordance with the *Allocation of king salmon in the Southeastern Alaska-Yakutat Area* (5 AAC 29.060). The sport fishery receives an allocation of 20% of the SEAK all-gear catch limit after the allocation to commercial net fisheries has been subtracted. The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) directs the management of the sport fishery, by specifying regionwide bag limits for resident and nonresident anglers and annual limits for nonresident anglers at various levels of king salmon abundance and the corresponding allocation to the sport fishery.

Management prescriptions outlined in each tier of the plan are less restrictive for residents primarily by establishing lower bag limits and/or annual limits for nonresidents. The current plan specifies that in management tier in 5 AAC 47.055 (g) (Table 82-1) the nonresident fishery will be closed prior to closing the resident fishery. In management tier (h) (Table 82-1) if the department projects that the king salmon sport allocation is going to be exceeded, the nonresident seasons and bag limits will be adjusted so that there are no closures for residents.

A logbook record is required for every charter vessel trip. Beginning in 2021 SEAK charter logbook records were submitted electronically to the department per the schedule defined in the logbook instructions, roughly on a weekly basis. Estimates of treaty king salmon harvest in the sport fishery are generated every two weeks once the season begins. Precision of this estimate is low at the beginning of the season and gets more precise as the season progresses.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If employed at higher abundance levels these actions could unnecessarily restrict the nonresident sport harvest, making it unlikely the sport fishery would achieve its allocation. When king salmon winter troll CPUE abundance is less than 2.6, the reduction in nonresident harvest would be less given the current plan already reduces the nonresident king salmon harvest limit from two to one fish June 16 through December 31 and the nonresident king salmon fishery is closed at a minimum from July 1 through August 15. The electronic reporting of logbook records would be required daily for both the guide and businesses. It would also require the department to track and enforce the daily reporting.

BACKGROUND: Proposals 82, 83, 84, 85, 86, 88, and 94 recommend actions to modify the *Southeast King Salmon Management Plan* in response to changes made to the PST that was renewed in 2019. Background information provided within Proposal 82 applies for this proposal. Additional information regarding the allocation of harvest opportunity between residents and nonresidents is included below.

The proportion of the king salmon sport harvest between resident and nonresident anglers has been addressed at past board meetings in SEAK. During previous meetings, the board has taken steps to increase resident harvest opportunity and decrease nonresident harvest of king salmon by establishing less restrictive manage prescriptions for residents in the *Southeast Alaska King Salmon Management Plan*. At higher abundances, resident bag limits are greater than nonresident bag limits. At all levels of abundance nonresidents have an annual limit while residents do not. At the lower abundance levels, closures to the nonresident king salmon fishery are enacted prior to closing to residents, or there is specific instruction not to close to the resident king salmon fishery except when necessary for conservation purposes. At the lowest level of abundance, tier (i), the board specifies nonretention periods or other restrictions for anglers be set to obtain 20% of the harvest reduction from resident anglers and 80% from nonresident anglers. Additionally, the board has sought parity between resident and nonresident anglers outside of the plan by prohibiting retention of king salmon by operators and crewmembers while clients are on board and limiting the maximum number of fishing lines from an active charter vessel to the number of paying clients while not exceeding the regional six-line limit.

Since the *Southeast Alaska King Salmon Management Plan* was enacted in 1992, the regional resident king salmon fishery has been closed once, from August 10 through September 30, 2017, when management measures were necessary to curtail harvests of several PST stocks.

Since 2010 the number of SEAK anglers has averaged 120,224 anglers (range 106,057–133,405) of which resident anglers averaged 31,232 (26%, range 27,443–35,204) while nonresident anglers averaged 88,992 (74%, range 78,614–101,169). For this same period SEAK king salmon harvest averaged 58,103 (range 30,861–86,942) with resident anglers averaging 36% (range 30%-49%) and nonresident 64% (range 51%-70%) of the harvest.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This said, the department has concerns if actions are taken to reduce flexibility to achieve escapement goals of Alaska stocks during times of low abundance.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal will result in an additional cost to the department if mandatory daily reporting of guided harvest is required. Currently the department does not have this budgeted.

PROPOSAL 85 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.

PROPOSED BY: Territorial Sportsmen, Inc.

WHAT WOULD THE PROPOSAL DO? Provisions would be added to management tiers in 5 AAC 47.055 (f) and (g) of the *Southeast Alaska King Salmon Management Plan* directing the department to modify nonresident season and bag limits inseason so that there are no closures for residents in the event the department projects that the king salmon sport allocation is going to be exceeded. Emergency order authority could still be used to close the resident fishery for conservation purposes.

WHAT ARE THE CURRENT REGULATIONS? If the sport fishery is projected to exceed the sport harvest allocation, the *Southeast Alaska King Salmon Management Plan* instructs the department in tiers (f) and (g) to close sport fishing by nonresidents to stay within the sport harvest allocation and only close sport fishing by residents if nonresident closures are insufficient to remain within the sport harvest allocation.

The SEAK king salmon all-gear catch limit is established under the terms of the PST and is allocated domestically in accordance with the *Allocation of king salmon in the Southeastern Alaska-Yakutat Area* (5 AAC 29.060). The sport fishery receives an allocation of 20% of the all-gear catch limit after the allocation to commercial net fisheries has been subtracted.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The resident king salmon fishery would not be closed under tiers (f) and (g) to achieve the sport harvest allocation. This is identical to what is currently prescribed in subsection (h). The sport fishery harvest allocation could be exceeded if a nonresident closure were insufficient to keep the sport fishery within allocation. This could result in the Alaska all-gear catch limit being exceeded and/or require the reduction in harvest by another SEAK fishery. In effect, the proposal would require the department to restrict other gear types if the sport fishery exceeded its annual allocation, making this an allocative proposal.

BACKGROUND: Proposals 82, 83, 84, 85, 86, 88 and 94 recommend actions to modify the *Southeast Alaska King Salmon Management Plan* in response to changes made to the PST that was renewed in 2019. Additional background is provided in Proposal 82 and background pertinent to the allocation of harvest opportunity between resident and nonresident anglers is provided in Proposal 84. King salmon allocations were first set in 1987 when net fisheries were allocated 20,000 king salmon and the troll fishery was allocated the remainder of the allowable catch. In 1992, the troll and sport fishery allocations were established at 83% and 17%, respectively. The sport fishery was placed on an annual increasing allocation schedule beginning in 1994 at 18%, increasing to 19% in 1995, and to the current level of 20% in 1996. From 1992 to 2003 the commercial troll fishery was managed to harvest the difference between the all-gear catch limit minus the net allocation and projected sport harvest. Cumulative sport harvests above the sport fishery allocation reduced troll allocation and were to be paid back in future years by not implementing more liberal regulations in the sport fishery. The cumulative number of fish not harvested (underage) was applied as an offset against excess harvests in prior or future years. In 2003, the board repealed the regulation requiring the department to restrict or expand the commercial troll fishery in response to yearly overages and underages in the sport fishery.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This said, the department has concerns if actions are taken to reduce flexibility to achieve escapement goals of Alaska stocks during times of low abundance or to ensure Alaska does not exceed its all-gear PST catch limit.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 86 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.

PROPOSED BY: Steve Hoffman.

WHAT WOULD THE PROPOSAL DO? Provisions would be added to the *Southeast Alaska King Salmon Management Plan* directing the department to modify nonresident season and bag limits inseason so that there are no closures for residents in the event the department projects that the king salmon sport allocation is going to be exceeded. Emergency order authority could still be used to close the resident fishery for conservation purposes. Unlike Proposal 85 this direction would apply to all management tiers of the *Southeast Alaska King Salmon Management Plan*.

WHAT ARE THE CURRENT REGULATIONS? Currently the plan instructs the department in management tiers in 5 AAC 47.055 (f) and (g) to close sport fishing by nonresidents if the sport fishery is projected to exceed the sport harvest allocation. Closure of sport fishing by residents would occur only if nonresident closures are insufficient to remain within the sport harvest allocation. In subsection (h) of the plan the department shall adjust the nonresident seasons and bag limits so that there are no closures for residents.

The king salmon harvest ceiling for all SEAK fisheries is established under the terms of the PST and is allocated domestically in accordance with the *Allocation of king salmon in the Southeastern Alaska-Yakutat Area* (5 AAC 29.060). The sport fishery receives an allocation of 20% of the all-gear catch limit after the allocation to commercial net fisheries has been subtracted.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The resident king salmon fishery would not be closed under any management tier to achieve the sport harvest allocation. The sport fishery harvest allocation could be exceeded if a nonresident closure was insufficient to keep the sport fishery within allocation. This could result in the Alaska all-gear catch limit being exceeded and/or require the reduction in harvest by another SEAK fishery.

BACKGROUND: Proposals 82, 83, 84, 85, 86, 88 and 94 recommend actions to modify the *Southeast Alaska King Salmon Management Plan* in response to changes made to the PST that was renewed in 2019. Additional background is provided in Proposal 82 and background pertinent to the allocation of harvest opportunity between resident and nonresident anglers is provided in Proposal 84. King salmon allocations were first set in 1987 when net fisheries were allocated 20,000 king salmon and the troll fishery was allocated the remainder of the allowable catch. In 1992, the troll and sport fishery allocations were established at 83% and 17%, respectively. The sport fishery was placed on an annual increasing allocation schedule beginning in 1994 at 18%, increasing to 19% in 1995, and to the current level of 20% in 1996. From 1992 to 2003 the commercial troll fishery was managed to harvest the difference between the all-gear catch limit less the net allocation and projected sport harvest. Cumulative sport harvests above the sport fishery allocation came out of the troll allocation and were to be paid back in future years by not implementing more liberal regulations in the sport fishery, and the cumulative number of fish not harvested (underage) was applied as an offset against excess harvests in prior or future years. In 2003, the board repealed the regulation requiring the department to restrict or expand the commercial troll fishery in response to yearly overages and underages in the sport fishery.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. This said, the department has concerns if actions are taken to reduce flexibility to achieve escapement goals of Alaska stocks during times of low abundance.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 87 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area. and 5 AAC 29.090. Management of the spring salmon troll fisheries.

PROPOSED BY: Charlie Piercy.

WHAT WOULD THE PROPOSAL DO? Make numerous changes to management of commercial troll and sport fisheries for king salmon in SEAK.

1. Establish an electronic application for weekly reporting of sport fish harvest.
2. Divide the sport allocation for king salmon into guided and unguided components.
3. Establish a fixed king salmon allocation for guided sport anglers in Districts 101 and 102 and establish a total sport king salmon harvest level in Districts 101 and 102 that does not exceed the hatchery and wild stock production in those areas.
4. Extend the West Behm Canal king salmon fishing closure to a line from Point Higgins to Caamino Point and close all fishing during king salmon migration time periods.
5. Establish an electronic fish ticket landing process and raw fish tax for all harvested finfish which will be exported out of state.
6. Establish a tax for fish boxes being shipped out of state.
7. Modify time during the spring troll fisheries at Mountain Point and Rock Point so that an equivalent number of days are provided for the commercial troll and guided sport fisheries. The troll manager would assume management authority for both commercial and sport king salmon fisheries in the area.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery for king salmon in SEAK is managed in accordance with the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.055) which directs the sport fishery by specifying regionwide bag limits for resident and nonresident anglers and annual limits for nonresident anglers according to various levels of king salmon abundance, as measured by the SEAK early winter troll CPUE metric. Under current regulations, the allocation to the sport fishery is not divided between guided and unguided user groups although the board has included management provisions which distinguish between resident and nonresident anglers.

The commercial spring troll fisheries are managed to target Alaska hatchery-produced king salmon. Areas opened to commercial spring troll fisheries are managed individually with fishing periods opened and closed by emergency order. Under provisions of the *Unuk River King Salmon Stock Status and Action Plan*, fisheries are conducted along the outer coast, and adjacent to king salmon hatcheries and release sites. The *Management of the Spring Salmon Troll Fisheries* plan also provides guidelines for non-Alaska hatchery-produced (PST) king salmon harvest limits in each area (Table 87-1). As the proportional harvest of Alaska hatchery-produced king salmon

increases in each fishery, so will the PST harvest limit for that area, generally resulting in increased fishing opportunities when Alaska hatchery-produced king salmon are in higher proportions.

Considering the current low abundance of Alaska wild stock king salmon, the sport fishery in the Ketchikan area has been included in the Southeast Alaska inside waters where king salmon retention has been prohibited between April 1 through June 14 to conserve Alaska wild stock king salmon. In addition, the *Unuk River King Salmon Stock Status and Action Plan* established by the board in 2018, directs the department to take specific actions in the sport and commercial troll fisheries in the Ketchikan area.

Every saltwater charter vessel is required to register with the department and submit information for each guided trip. The logbook page for each trip must be submitted in accordance with the weekly schedule provided in the logbook. Beginning in 2021 SEAK charter logbooks were required to be submitted electronically.

There are no statutes or regulations in place to collect a tax on sport caught fish or fish boxes being shipped out of state.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would require the creation and implementation of an electronic application for weekly reporting of sport fish harvest for nonguided anglers. Information is already collected in the guided sport fishery through the Statewide Saltwater Charter Logbook Program which transitioned to an electronic logbook beginning in Southeast Alaska in January 2021.

This proposal would modify the *Allocation of king salmon in the Southeastern Alaska-Yakutat Area* (5 AAC 29.060) and the *Southeast Alaska King Salmon Management Plan* (5 AAC 47.005) to divide the sport fishery between guided and unguided anglers. New management provisions specific to each abundance level and angler type would be required to achieve management objectives and provisions of the PST. An additional allocation of king salmon to the sport fishery specific to District 101 and 102 would need to be defined by the board after which provisions for the management of the sport fishery in this area could be crafted to achieve management objectives.

In addition to the restrictions outlined in the *Unuk River King Salmon Stock Status and Action Plan* the king salmon fishing closure in West Behm Canal would be extended to a line from Point Higgins to Caamano Point and would be closed to fishing for all species during king salmon migration time periods. This action would close commercial troll and net fisheries in Neets Bay and eliminate access to hatchery-produced king salmon in this terminal harvest area (THA).

If fishing time were identical for the sport fishery and the commercial spring troll fishery in the Mountain Point and Rock Point spring troll areas, there could be two different scenarios implemented. The sport fish Mountain Point THA could open and close concurrent with the two commercial troll fishery spring areas, Rock Point and Mountain Point (Figure 87-1). If adopted, this change would result in less opportunity for sport anglers and reduce harvest of king salmon in the sport fishery. The second scenario is to have fishing time in the Mountain Point and Rock Point spring troll fisheries determined by guided sport fishing time and not by Alaska hatchery-produced

king salmon proportions. By providing spring troll opportunity based on guided sport fishing time, necessary fishery restrictions may not be implemented, and harvest of wild SEAK king salmon may increase.

In addition, the department also monitors commercial spring troll harvest for encounters of wild SEAK king salmon stocks. Restrictive fishery management measures continue to be implemented in this area during this prolonged period of poor production for many of the wild SEAK king salmon stocks. Elevated encounter rates of wild SEAK king salmon stocks in spring troll fisheries warrant inseason actions to reduce harvest in those areas.

BACKGROUND: The three primary programs that provide information and harvest estimates for the sport fishery in SEAK include: (1) the Alaska Statewide Harvest Survey, (2) the Statewide Saltwater Charter Logbook Program, and (3) the Southeast Marine Creel Survey. In January 2021, the department's saltwater charter logbook program is transitioning to mandatory electronic logbooks in SEAK. Nonguided anglers are not required to report daily harvest but are sampled at exit points of the fishery through the SEAK Marine Creel Survey and through the mailed Alaska Statewide Harvest Survey.

The *Southeast Alaska King Salmon Management Plan* was last modified by the board in January 2019 to address changes in the newly renewed PST and the resulting reduction in king salmon harvest limit for the sport fishery. The current plan does not segment the sport fish allocation of king salmon into guided or unguided categories, nor does it segment the allocation into specific geographic areas. The current plan does provide specific management prescriptions for resident and nonresident anglers. During the 2022 Southeast and Yakutat Finfish and Shellfish meeting the board is expected to continue its work modifying the management plan to address several items relating to changes in the renewed PST.

During the 2017/2018 board cycle, the board designated the Unuk River king salmon stock as a stock of concern and adopted the *Unuk River King Salmon Stock Status and Action Plan* which outlines management measures to reduce harvest and criteria that must be met for future removal of the stock of concern designation. The management measures include time and area closures and the reduction of bag and possession limits throughout the Ketchikan management area. The goal of the action plan is to rebuild the Unuk River king salmon run to consistently achieve escapements within the escapement goal range, which would provide reasonable fishing opportunity at more historical levels for commercial and sport fisheries. Since the adoption of the action plan in January 2018, the Unuk River king salmon stock has met escapement two years (2018 and 2019) from 2018–2020.

The Mountain Point THA is managed under the guidelines of the *Unuk River King Salmon Stock Status and Action Plan*. In the sport fishery, the Mountain Point THA includes the waters of George and Carroll inlets north of a line from Mountain Point to Cutter Rocks Light. In the spring troll commercial fishery, the same area is broken into three areas for management purposes, Mountain Point (101-45), Rock Point (101-46) and the Carroll Inlet THA (101-48) (Figure 87-1). During the spring troll fishery, management is based on Alaska hatchery contribution and fishing time is extended based on inseason assessment of coded-wire tag data and historic harvest timing.

In 1986, the board established experimental commercial spring troll fisheries to provide opportunity to harvest Alaska hatchery-produced king salmon in areas along migration routes of king salmon returning to hatchery release sites. At that time, the board limited the number of non-Alaska hatchery king salmon to 1,000 fish in each of the three open areas, and openings were limited to two days per week. From 1987 to 1990, additional experimental areas were opened and the board modified regulations to allow for higher harvest limits of PST king salmon as the contribution of Alaska hatchery fish increased in the harvest. In 1991, the board adopted regulations that allowed for additional harvest of PST king salmon as the contribution of Alaska hatchery fish increased, establishing tiers using increasing levels of Alaska hatchery contribution and PST harvest, with a minimum annual hatchery contribution of 20% for an area to continue the following year without modification. These criteria were liberalized again in 2003 and 2006 when PST king salmon limits were increased in the upper Alaska hatchery contribution tiers and additional lower-level Alaska hatchery contribution tiers were created, allowing for additional PST king salmon harvest at smaller Alaska hatchery trigger percentages.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department **OPPOSES** creating a new sport harvest reporting program that duplicates current data collection programs. The department also **OPPOSES** changes to the current spring troll management regime in which fishing time is provided based on the weekly Alaska hatchery contribution in each fishery. The creation of a tax on fish boxes or exported finfish is outside the authority of the department or the board.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal will result in an additional cost to the department to create and administer an electronic application for sport fish harvest reporting. Currently the department does not have this budgeted.

Table 87-1.—Alaska hatchery contribution and harvest limits for spring troll fisheries.

Alaska Hatchery Contribution to the Harvest	PST King Salmon Limit
Less than 25%	1,000
At least 25% and less than 35%	2,000
At least 35% and less than 50%	3,000
At least 50% and less than 66%	5,000
66% or more	no limit

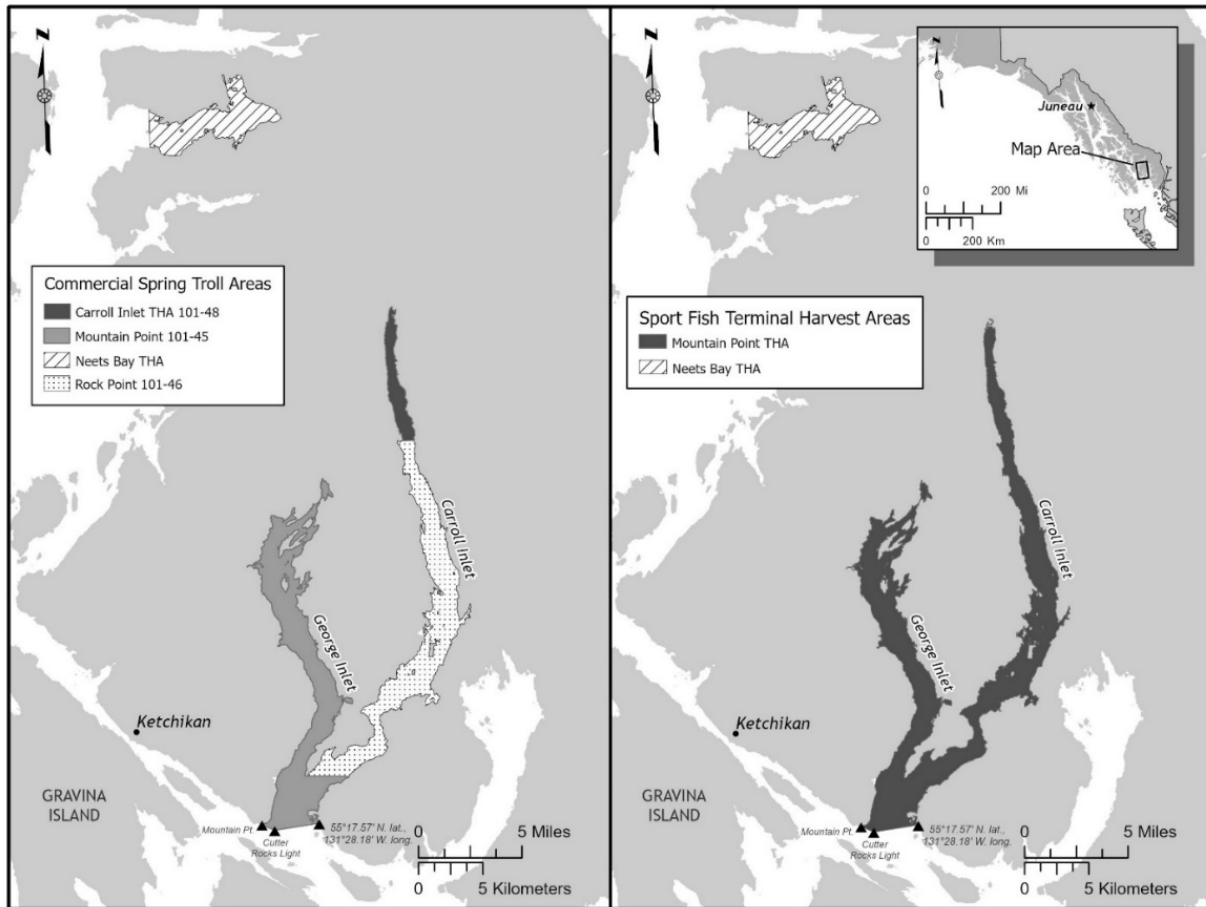


Figure 87-1.—Commercial spring troll and sport fish terminal harvest areas in the Ketchikan area.

PROPOSAL 88 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan. and 5 AAC 29.060. Allocation of king salmon in the Southeastern Alaska-Yakutat Area.

PROPOSED BY: Steve Merritt.

WHAT WOULD THE PROPOSAL DO? The *Southeast Alaska King Salmon Management Plan* (5AAC 47.055) would be modified by establishing new harvest limits and specific management actions for the sport fishery under each abundance-based management tier. The allocation to the sport fishery would be structured on a sliding scale ranging between 16 and 24 percent of the SEAK all-gear catch limit after the commercial net fisheries allocation has been subtracted. The commercial troll fishery would receive a commensurate addition or reduction in allocation. Specific management measures including bag limits and nonresident annual limits have been proposed to reflect the increase or decrease in allocation for each management tier.

Provisions directing the department to use inseason management to achieve the sport allocation have been added to the plan while direction to manage the sport fishery to an average allocation remain within the objectives of the plan. Language has been added to clarify that the department will implement restrictions on nonresident opportunity, including closures, before restricting resident opportunity under all management tiers.

Included is a provision that would exempt the sport fishery from a reduction in allocation which may have otherwise occurred as a result of SEAK fisheries exceeding the all-gear catch limit and the requirement to pay back that overage the following year. The sport fishery is directed to use the management tier that would have resulted if there had not been an overage. This would require other gear allocations to be reduced if an overage occurred.

The announcement of the sport fish management measures would be delayed until May, rather than February, in the event the early winter troll CPUE metric is not available.

Reference to the early winter troll CPUE has been removed and instead references the number of king salmon allocated to the combined sport and commercial troll fisheries after commercial net fisheries have been subtracted. This action has no impact on allocation.

WHAT ARE THE CURRENT REGULATIONS? In accordance with the *Allocation of king salmon in the Southeastern Alaska-Yakutat Area* (5 AAC 29.060), the sport fishery receives an allocation of 20% of the SEAK all-gear king salmon catch limit after subtracting the allocation to commercial net fisheries. The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.005) directs the management of the sport fishery by specifying regionwide bag limits for resident and nonresident anglers and annual limits for nonresident anglers at various levels of king salmon abundance, as measured by the SEAK winter troll CPUE. The corresponding allocation to the sport fishery is defined under each management tier. The direction to the department to take inseason management action to ensure the sport fishery does not exceed the defined allocation is inconsistent. Under management tiers in 5 AAC 47.055 (f), (g), and (h), when the winter troll CPUE is below 6.0 but above 2.0, the department is directed to take inseason action to achieve the allocation although the stated objectives of the plan include language that the sport fishery will be managed to achieve an average allocation across years. Current bag, possession, annual limits, and other management prescriptions are listed by tier in Table 82-1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Applying the sliding scale to the sport allocation would result in an increased allocation to the sport fishery during low abundance years and decreased allocation to the sport fishery during high abundance

years. There would be a reciprocal increase or decrease in allocation to the commercial troll fishery. The department would use inseason management to constrain the sport fishery to the new harvest limits defined within each management tier. The increased allocation during low abundance years would make it less likely the sport fishery would require inseason closures.

When compared to current regulations, the proposed management measures for the sport fishery would decrease harvest opportunity for nonresidents at high abundance tiers while increasing nonresident harvest opportunity at low abundance tiers. The resident opportunity remains largely consistent with current regulations except for the bag limit would increase from one to two when the early winter troll CPUE metric is less than 3.8 but greater than or equal to 2.6. If inseason management action is required to keep the sport fishery within its allocation, nonresidents fisheries would be restricted or closed prior to any restrictions in the resident sport fishery.

In the event the Alaska all-gear catch limit is reduced due to an overage by SEAK fisheries, the sport fishery would continue to implement the actions prescribed by the plan according to the winter troll CPUE as if no reduction occurred. Without further direction from the board, any reduction in the SEAK all-gear catch limit as a result of the payback provision within the PST would not impact the management of the sport fishery and would require other fisheries to absorb the loss resulting in a reallocation.

Delaying the time when sport fishery management actions are announced until May is not expected to have an impact.

BACKGROUND: Proposals 82, 83, 84, 85, 86, 88, and 94 recommend actions to modify the Southeast Alaska King Salmon Management Plan in response to changes made to the 2019-2028 PST that was renewed in 2019. In addition to the background provided in Proposals 82 and 84. Tables 88-1 and 88-2 summarize the proposed actions described in this proposal. The PST states per Chapter 3, paragraph 6 (b) (iii) that if, due to unforeseen circumstances, the winter power troll fishery in District 113 during statistical weeks 41-48 does not take place, the Commission Chinook model pre-season estimate of the abundance index (AI) shall be used to set the SEAK pre-season PST Chinook limit using Table 2,

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Directing the sport fishery to use inseason management to avoid exceeding the allocation to the sport fishery requires the department to project inseason the expected sport harvest for the season. These projections are subject to statistical variance which require the department to manage conservatively to avoid exceeding the annual allocation.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 88-1.—Allocation of king salmon to the sport fishery as modified by Proposal 88.

Management tier (existing in 5 AAC 47.055)	CPUE-based tier	Combined sport/commercial troll allocation	Existing plan		Revised by proposal 88	
			Sport allocation of king salmon	Sport allocation percentage	Sport allocation of king salmon (nearest hundred)	Sport allocation percentage
c	20.5 and above	345,071	69,000	20%	55,200	16%
d	less than 20.5 to 8.7	309,384	61,900	20%	49,500	16%
e	less than 8.7 to 6.0	246,391	49,300	20%	44,400	18%
f	less than 6.0 to 3.8	189,393	37,900	20%	37,900	20%
g	less than 3.8 to 2.6	129,220	25,800	20%	28,400	22%
h	less than 2.6 to 2.0	102,781	20,600	20%	24,700	24%
i	less than 2.0	*	*	*	*	*

*To be determined

Table 88-2.—Modifications to the management prescriptions within the *Southeast Alaska King Salmon Management Plan* outlined by Proposal 88. Changes from the current plan are shaded.

Management tier (5 AAC 47.055)	CPUE-based tier	Sport allocation	Resident bag limit	Nonresident bag limit	Nonresident annual limit	Use of two rods in winter	When wild stock conservation measures are in place
c	20.5 and above	55,200	3	1	3	October 1–March 31 all sport anglers may use two rods when fishing for salmon	
d	less than 20.5 to 8.7	49,500	3	1	3	October 1–March 31 all sport anglers may use two rods when fishing for salmon	
e	less than 8.7 to 6.0	44,400	2	1	3	Resident anglers may use two rods when fishing for king salmon between October 1–March 31	
f	less than 6.0 to 3.8	37,900	1	1	2	Resident anglers may use two rods when fishing for king salmon between October 1–March 31	In areas where king salmon was closed to retention to protect Alaska wild stocks, once reopened the resident bag limit increases to 2
g	less than 3.8 to 2.6	28,400	2	1	January 1–June 30 = 2 July 1–December 31 = 1	N/A	In areas where king salmon was closed to retention to protect Alaska wild stocks, once reopened the resident bag limit increases to 2
h	less than 2.6 to 2.0	24,700	1	1	1	N/A	In areas where king salmon was closed to retention to protect Alaska wild stocks, once reopened the resident bag limit increases to 2
i	less than 2.0	*	*	*	*	*	*

*To be determined

PROPOSAL 89 – 5 AAC 29.115. Registration; 5 AAC 29.120. Gear specifications and operations; 5 AAC 29.125. Vessel identification.

PROPOSED BY: Matt Lawrie.

WHAT WOULD THE PROPOSAL DO? Allow the use of two additional fishing lines during periods of king salmon nonretention in all waters of Southeast Alaska/Yakutat Area if a CFEC power troll permit holder owns two permits (permit stacking) or has another permit holder on board the vessel (dual permit operation).

WHAT ARE THE CURRENT REGULATIONS? A power troll vessel may operate no more than four lines, with the exception that no more than six lines may be operated in the waters of the exclusive economic zone (EEZ) north of the latitude of the southernmost tip of Cape Spencer.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The addition of two lines for power troll vessels meeting the new permit criteria would increase efficiency while targeting coho and chum salmon in state waters north of Cape Spencer and state and federal waters between Cape Spencer and the International Boundary at Dixon Entrance. If inactive permits are utilized in the fishery, through purchase or through an agreement with another permit holder, the power troll effort could increase, along with harvest of salmon, excluding king salmon. However, although this proposal would exclude king salmon retention periods, the incidental encounters and associated mortalities during nonretention periods could increase with the potential deployment of additional gear.

Modifying gear specifications for power troll, which have been static since 1979, would compromise the historic CPUE comparisons the department utilizes to gauge coho salmon abundance as required under both domestic regulations and under terms of the 2019 to 2028 PST.

Allowing permit stacking or dual permit operations in the salmon troll fishery could increase the value of salmon troll permits and make it more difficult for a person to enter the fishery.

BACKGROUND: Concurrent with statehood in 1959, Alaska trollers were limited to four fishing lines. In 1979, the board adopted a troll fishery gear modification that allowed the operation of up to six power troll lines in the EEZ, north of the latitude of Cape Spencer and east of the longitude of Cape Suckling. The board recognized that vessels fishing this area were disadvantaged due to longer travel times, adverse weather conditions, and greater costs to access the area, and so may need to operate with greater efficiency than those vessels fishing south of the latitude of Cape Spencer.

Wild SEAK coho salmon run strength is assessed three times throughout the summer troll season. The first assessment occurs in late July and has two objectives: determine whether a regionwide closure is needed in late July based on the projected all-gear commercial wild coho salmon harvest and whether a closure of U.S./Canada boundary waters is necessary based on troll CPUE in the Southern Inside waters (Districts 1 and 2). Domestic regulations and the PST require that the SEAK coho salmon troll fishery is closed for up to seven days, on or about July 25, if the projected all-gear commercial harvest of wild coho salmon is less than 1.1 million fish. That projection is based on the relationship between the projected all-gear commercial wild coho salmon harvest and the regional power troll CPUE during early July. The PST also requires that waters in the U.S./Canada boundary area are closed for 10 days, beginning in SW 31, if the troll fishery average CPUE for SWs 27–29 in Canada Area 6 (Districts 1 and 2) is between 15 and 22 coho/day. Both

objectives rely on standardized troll gear specifications and operation for comparable CPUE estimates.

As part of the second coho salmon run strength assessment in August, the department is required to assess the SEAK coho salmon fishery to determine if a closure is needed to meet allocation and conservation requirements established by the board. The second assessment includes updated projections of the total commercial catch and regional abundance of wild coho salmon based on the relationship between the projected all-gear commercial wild coho salmon harvest and the regional power troll CPUE through early August. The strength of coho salmon returns to inside areas is evaluated by assessing both the cumulative CPUE in the four major drift gillnet fisheries and power troll CPUE in inside waters.

The third coho salmon assessment occurs in September and reassesses the wild commercial harvest and total all-gear commercial harvest projections. Coho salmon CPUE in the power troll fishery, as well as cumulative harvests from the four primary drift gillnet fisheries provide support for determining whether the troll season will be extended through September 30.

Additionally, the cumulative allocation status of the troll fishery and other commercial gear groups are considered relative to the coho salmon allocation guidelines established by the board in 1989, now contained in 5 AAC 29.065. *Allocation of Coho Salmon*. These guidelines reflect the 1969–1988 distribution of harvest in the Southeastern Alaska and Yakutat commercial salmon fisheries of 61% troll, 19% purse seine, 13% drift gillnet and 7% set gillnet. The department manages the coho salmon fishery to maintain allocation guidelines over the long-term. The cumulative allocation status of the troll fishery from 1989–2019 is 65%, or a 6% deviation relative to the base-period guidelines, with a range of annual allocations from 53% to 78% (Table 89-1).

Under terms of the 2019 to 2028 PST, the PSC implemented guidelines for acceptable levels of incidental mortality in AABM fisheries and developed triggers for incidental mortality levels that would precipitate a discussion to determine if fishery adjustments were needed, and to recommend any appropriate remedial action to ensure that the parties do not exceed incidental mortality limits. The new trigger level for the SEAK AABM fishery is based on the second highest level of incidental mortality experienced from 1999 to 2016 (59,400 fish), and only in years which the current gear specifications and operation regulation applied.

DEPARTMENT COMMENTS: The department **OPPOSES** modifying gear specification and operation for power troll vessels as the comparison of past to current CPUE data could be compromised, affecting coho salmon run strength assessments under SOA fishery regulations and provisions of the PST.

If the board adopts this proposal the department recommends the board consider new vessel marking requirements to identify dual permit vessels or vessels operating with stacked permits.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery; however, an individual wanting to benefit from this proposed regulation would be required to purchase an additional power troll permit or secure an agreement with another permit holder in order to operate additional gear. Approval of this proposal is not expected to result in an additional cost for the department, however, additional costs may be incurred by AWT, as the number of vessels contacted during the summer troll fishery may increase as enforcement monitors for compliance with new gear operation provision

Table 89-1.—Harvest and percent of commercially harvested coho salmon by gear type in Southeast Alaska, 1989–2020.

Year	Troll		Purse Seine		Drift Gillnet		Set Gillnet		All-gear Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1989	1,415,517	65%	333,116	15%	255,689	12%	176,816	8%	2,181,138	100%
1990	1,832,604	67%	379,334	14%	377,803	14%	148,891	5%	2,738,632	100%
1991	1,719,082	59%	411,854	14%	601,179	21%	166,731	6%	2,898,846	100%
1992	1,929,945	56%	505,135	15%	699,448	20%	290,149	8%	3,424,677	100%
1993	2,395,887	67%	477,006	13%	445,880	13%	237,446	7%	3,556,219	100%
1994	3,467,599	63%	970,100	18%	744,558	13%	343,903	6%	5,526,160	100%
1995	1,750,262	56%	627,472	20%	456,820	15%	295,030	9%	3,129,584	100%
1996	1,906,769	64%	447,005	15%	404,627	14%	227,802	8%	2,986,203	100%
1997	1,170,534	64%	189,036	10%	156,725	9%	322,776	18%	1,839,071	100%
1998	1,636,711	59%	475,232	17%	441,458	16%	197,669	7%	2,751,070	100%
1999	2,272,653	69%	422,926	13%	394,260	12%	187,186	6%	3,277,025	100%
2000	1,125,219	67%	210,528	12%	181,796	11%	170,948	10%	1,688,491	100%
2001	1,845,627	63%	556,193	19%	338,083	11%	205,344	7%	2,945,247	100%
2002	1,315,062	53%	479,489	19%	491,683	20%	200,888	8%	2,487,122	100%
2003	1,223,458	56%	400,988	19%	467,337	22%	74,343	3%	2,166,126	100%
2004	1,916,675	67%	405,151	14%	339,466	12%	196,930	7%	2,858,222	100%
2005	2,038,296	74%	348,072	13%	297,878	11%	82,887	3%	2,767,133	100%
2006	1,362,983	74%	114,313	6%	277,853	15%	86,085	5%	1,841,234	100%
2007	1,378,062	72%	252,575	13%	204,081	11%	76,550	4%	1,911,268	100%
2008	1,293,030	63%	215,648	11%	377,469	19%	153,712	8%	2,039,859	100%
2009	1,591,547	67%	298,614	13%	351,367	15%	133,808	6%	2,375,336	100%
2010	1,343,032	59%	203,631	9%	579,830	25%	161,584	7%	2,288,077	100%
2011	1,314,210	63%	352,128	17%	285,983	14%	126,215	6%	2,078,536	100%
2012	1,201,724	64%	280,116	15%	303,041	16%	98,677	5%	1,883,558	100%
2013	2,393,790	67%	553,501	15%	482,433	13%	158,046	4%	3,587,770	100%
2014	2,248,371	66%	394,174	12%	599,606	18%	161,977	5%	3,404,128	100%
2015	1,241,100	64%	294,550	15%	274,909	14%	129,069	7%	1,939,628	100%
2016	1,387,590	66%	267,213	13%	299,645	14%	144,032	7%	2,098,480	100%
2017	2,151,782	78%	276,635	10%	187,888	7%	140,844	5%	2,757,149	100%
2018	942,622	64%	156,810	11%	272,951	19%	95,954	7%	1,468,337	100%
2019	973,903	63%	249,790	16%	210,621	14%	100,473	7%	1,534,787	100%
2020	750,655	72%	78,710	8%	130,465	13%	81,709	8%	1,041,539	100%
1989–2019 Average:	1,670,505	65%	372,527	14%	380,723	15%	170,734	7%	2,594,489	100%
Board of Fisheries Allocations (Est. 1989)		61%	—	19%	—	13%	—	7%	—	—
1989–2019 Deviation from Allocations		6%	—	-26%	—	13%	—	-4%	—	—
2020 Deviation from Allocations		11%	—	-60%	—	-4%	—	12%	—	—

Note: Annette Island and terminal harvest are included

PROPOSAL 90 – 5 AAC 29.090. Management of the spring salmon troll fisheries.

PROPOSED BY: Tad Fujioka.

WHAT WOULD THE PROPOSAL DO? Change the trigger criteria for liberalizing harvest cap tiers during spring troll fisheries from an annual abundance index (AI) number to a District 13 early winter power troll CPUE tier.

WHAT ARE THE CURRENT REGULATIONS? Current regulations specify that if the preseason king salmon AI, determined by the Chinook Technical Committee (CTC) of the PSC, is at least 1.15, and the amount of the winter troll fishery GHL remaining on May 1 is at least 10,000 but not more than 15,000 king salmon, 250 additional non-Alaska hatchery-produced (treaty) salmon will be added to the maximum allowable number of treaty fish to be taken in each spring area; if the GHL remaining is more than 15,000, an additional 500 treaty fish will be added to the maximum allowable number of treaty Chinook salmon to be taken in each spring fishery (Table 90-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? By modifying the current spring troll fishery trigger that provides additional king salmon to treaty harvest caps from an AI of 1.15 to the corresponding CPUE based treaty harvest tier from the early winter troll CPUE metric, the trigger criteria level of king salmon abundance would be reduced to an AI of 1.005. Lowering this base level of abundance would increase the occurrence of this additional treaty king salmon provision during spring troll fisheries, and increase harvest of treaty king salmon during spring, potentially shortening the length of the king salmon retention periods during the summer fishery.

BACKGROUND: In 2009 the board adopted the current regulation that establishes criteria where spring troll treaty king salmon harvest caps (Table 90-1) may be increased. The proposal was adopted as amended from no specified AI trigger criteria to an AI of at least 1.15, so that the number of fish remaining for a July summer king salmon retention period would allow a fishery length of at least four to five days.

Under terms of the 2019 to 2028 Annex of the PST, a new method of determining the preseason SEAK king salmon all-gear catch limit was implemented. The new method uses the cumulative CPUE from the early winter District 13 power troll fishery during October and November, SWs 41–48, to predict king salmon abundance for the following year. The CPUE metric is translated to a 7-tiered catch ceiling table, with each tier defined by a range of CPUEs, the corresponding AI levels for those CPUEs, and the catch limit at each range of projected abundance (Table 90-2). Also included in the terms of the PST, the parties agreed to conduct up to two reviews of the CPUE-based approach to decide whether to continue to use this method to determine the catch limit for the SEAK AABM fishery, to return back to use of the PSC Chinook model, or to adopt an alternative method as determined by the parties. The first review will occur as soon as practical after the first 2022 postseason AI is calculated and the second review shall occur as soon as practical after the first 2025 postseason AI is calculated.

Following the 2019 to 2020 winter troll fishery CPUE assessment period, the department estimated a cumulative District 13 power troll CPUE metric of 4.83, which translated to tier four of the new PST SEAK catch ceiling table (Table 90-2) and a resulting all-gear catch limit of 205,165 king salmon. To compare results of the CPUE metric to both historical and current year's preseason AI output from the PSC Chinook salmon model, the department translated the CPUE metric to the

equivalent AI, or 1.39. With approximately 29,900 treaty Chinook salmon remaining on the 2019 to 2020 winter troll fishery GHL on May 1, 2020, and a translated AI above the 1.15 trigger, an additional 500 treaty king salmon were added by regulation to each spring troll fishery treaty limit, without the need to modify the existing regulatory language.

DEPARTMENT COMMENTS: The department **OPPOSES** the concept of adopting PST language into domestic regulation when decisions on the perpetuity of the language are yet to be determined at the PSC level. Additionally, the proposed regulatory amendment is not necessary when the department can translate the winter troll CPUE metric to an AI for evaluating against trigger criteria in the current regulation. The department has concerns if actions are taken to reduce flexibility to achieve escapement goals of Alaska stocks during times of low abundance.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 90-1.—Guideline limits of PST Chinook salmon (U.S./Canada) that may be harvested in each spring troll fishing area.

Alaska hatchery contribution to the harvest	Treaty Fish Harvest Cap
Less than 25%	1,000
At least 25% and less than 35%	2,000
At least 35% and less than 50%	3,000
At least 50% and less than 66%	5,000
66% or more	no limit

Table 90-2.—District 13 early winter power troll fishery CPUE-based tier, AI-based tier and midpoint, and the corresponding all-gear catch limit.

CPUE-based Tier	AI-based Tier	All-gear Catch Limit
Less than 2.0	Less than 0.875	Commission Determination
2.0 to less than 2.6	Between 0.875 and 1.0	111,833
2.6 to less than 3.8	Between 1.005 and 1.2	140,323
3.8 to less than 6.0	Between 1.205 and 1.5	205,165
6.0 to less than 8.7	Between 1.505 and 1.8	266,585
8.7 to less than 20.5	Between 1.805 and 2.2	334,465
20.5 and greater	Greater than 2.2	372,921

PROPOSAL 91 – 5 AAC 29.100. Management of the summer salmon troll fishery.

PROPOSED BY: Steve Merritt.

WHAT WOULD THE PROPOSAL DO? Reallocate harvest proportions between the summer troll king salmon retention periods.

WHAT ARE THE CURRENT REGULATIONS? After accounting for treaty harvests in the winter and spring king salmon troll fisheries, the department shall manage the summer king salmon troll fishery to take 70% of the remaining annual troll allocation beginning July 1. Regulations further specify that following the first king salmon retention period, the department will reopen a king retention period to take any remaining troll allocation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The target harvest for the first summer troll king salmon retention period beginning July 1 would be modified from 70% of the summer allocation to a sliding scale based on the remaining treaty allocation following winter and spring troll fisheries. In years when the summer troll allocation is between 85,001 and 150,000 fish, a transfer of 10% of the allocation from the first summer retention period (July fishery), when catch rates are typically higher, to the second summer retention period (August fishery), when catch rates are typically lower, would likely increase the number of summer king salmon retention days. Conversely, in years when the summer troll allocation is greater than 200,000 fish, a transfer of 10% of the allocation from the August fishery to the July fishery would likely decrease the number of summer king salmon retention days. In years when the summer troll allocation is 85,000 fish or less, the fishery would target 100% of the summer allocation in the July fishery. During the two years (2018, 2019) the summer troll allocation has been below 85,000 fish, it is estimated that moving 30% of the allocation from the August fishery to the July fishery would have resulted in a nominal increase in summer king salmon retention days. This is largely due to anomalies in these years when August catch rates exceeded those from early July.

The value of the king salmon fishery may change to some degree, as king salmon average price and weight tend to be slightly higher during the August fishery than during the July fishery. Under the proposed criteria, a review of past fisheries indicated the majority of years would have fallen into the category in which 10% of the summer allocation would have transferred from July to August, which presumably would have increased the number of summer king salmon retention days and the value of those fisheries (Table 91-1). It also is possible that the benefit of higher valued king salmon in August could be offset in years with a short August opening.

Increasing the percentage allocated to the August fishery during years of low king salmon abundance may lead to difficulty in taking the entire troll allocation, since effort, catch rates, and fishable weather days typically decline later in the summer. It may also be more difficult to harvest the troll king salmon allocation during years in which fishing time or area is reduced late in the season due to coho conservation concerns.

An increase in the August fishery allocation may also increase the harvest of wild SEAK king salmon, which the department has attempted to reduce during this prolonged period of low king salmon production. The average wild SEAK king salmon proportion of the harvest in the August fishery tends to be higher than that seen in the July fishery, as presented in *The Harvest of Southeast Alaska Wild-Origin Chinook Salmon in the Southeast Alaska Troll and Sport Fisheries, 2005–2020* Technical Memorandum.

BACKGROUND: The current regulations addressed in this proposal originated as part of the Troll Task Force Plan adopted by the board in 1994. The provisions of that plan were intended to help ensure a summer troll king salmon season of at least 10 days, minimize incidental mortality, maximize the value of the troll product, and recognize the historical composition of the troll fishery. Reserving 30% of summer troll king salmon allocation for the August fishery was intended to increase the number of king salmon retention days, since lower catch rates and higher Alaska hatchery contributions were anticipated when compared to the July fishery.

Proposals to change the percentage of the summer troll king salmon allocation targeted during the July fishery have been submitted to the board in the past but were not adopted. Similar proposals to modify summer fishery percentages from 70/30% to 60/40% were submitted to the board in 2015 and 2018 but the board determined that the proposals were allocative in nature, favoring trollers fishing in parts of the region where catch rates tend to be more stable throughout the summer. The board also acknowledged the possibility that the fleet may not catch the entire king salmon allocation in the August fishery if additional fish were added when king salmon abundance is low.

Under terms of the 2019 to 2028 PST, the PSC implemented guidelines for acceptable levels of incidental mortality in AABM fisheries and developed triggers for incidental mortality levels that would precipitate a discussion to determine if fishery adjustments were needed, and to recommend any appropriate remedial action to ensure that the parties do not exceed incidental mortality limits. The new trigger level for the SEAK AABM fishery is based on the second highest level of incidental mortality experienced from 1999 to 2016, (59,400 fish) in years which the current summer retention period allocations applied. Additionally, the 2019 PST agreement includes a commitment to discuss within the Commission significant management changes that a Party is considering that may alter the stock or age composition and incidental mortality of a fishery regime's catch.

As per criteria of this proposal, a retrospective summary of the prospective changes in the number of summer troll king salmon retention days since 1999, when the PSC AABM regime began, is provided in Table 91-1. In 2003, 2013, 2015, and 2017, an August fishery did not occur and those years have been excluded. During the nine years when the summer allocation was modified to target 60% in the July fishery and 40% in the August fishery, the number of king salmon retention days would have increased on average by two days. For the four years when the summer allocation was modified to target 80% in the July fishery and 20% in the August fishery, the number of king salmon retention days would have decreased on average by 1.5 days. During 2018 and 2019, when the summer king salmon allocation was below 85,000, and the allocation modified to target 100% in the July fishery, the number of king salmon retention days would have increased on average by 0.7 days.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, which could benefit some portion of the troll fleet more than others. The majority of the summer troll king salmon harvest occurs in outer coastal waters. Catch rates during the July fishery tend to be higher than those in the August fishery, though the difference is more pronounced in northern and central outside waters than in southern outside waters. In recent years, on average, king salmon harvest rates in southern outside waters have shown less variation in the July and August fisheries than in other areas.

By moving fish from the July fishery to the August fishery, it would be more likely that the second opening would be long enough to allow inseason management, rather than setting a predetermined number of days. Inseason management allows the department to respond to factors affecting troll catch rates and effort which cannot be anticipated prior to the opening, such as weather and targeting of species other than king salmon. As a result, it is more likely that the actual king salmon harvest will come in closer to the harvest target than if the opening had been set at a predetermined number of days. Additionally, changes to the current allocation of Alaska's all-gear harvest limit would need to be discussed within the Pacific Salmon Commission and demonstrated not to significantly change the stock or age composition and incidental mortality of the all-gear harvest.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 91-1.—Retrospective allocation changes in the number of summer troll king salmon retention days, 1999–2020.

Year	Summer Allocation	Allocation Percentage	July Fishery Target	August Fishery Target	Harvest Target Change	July-days to catch change	August-days to catch change	Retention Days Change	July-Fleet catch/day	August-Fleet catch/day
1999	95,714	60/40	67,000	28,714	9,571	0.7	2.6	1.8	13,021	3,729
2000	90,000	60/40	63,000	27,000	9,000	0.9	1.4	0.6	10,154	6,212
2001	103,571	60/40	72,500	31,071	10,357	1.0	6.5	5.5	10,809	1,606
2008	87,143	60/40	61,000	26,143	8,714	0.7	1.8	1.1	11,983	4,831
2009	122,643	60/40	85,850	36,793	12,264	1.5	3.3	1.9	8,458	3,668
2010	111,686	60/40	78,180	33,506	11,169	1.2	1.2	0.0	9,322	9,691
2011	145,503	60/40	101,852	43,651	14,550	1.4	1.5	0.0	10,076	9,912
2012	140,193	60/40	98,135	42,058	14,019	2.0	5.5	3.4	6,847	2,551
2020	119,800	60/40	83,900	35,940	11,980	1.0	4.3	3.3	11,712	2,756
						60/40 Average		2.0		
2006	191,857	70/30	134,300	57,557	0	0.0	0.0	0.0	10,818	6,559
2007	172,143	70/30	120,500	51,643	0	0.0	0.0	0.0	7,027	5,130
2016	174,286	70/30	122,000	52,286	0	0.0	0.0	0.0	21,326	3,375
2002	211,429	80/20	148,000	63,429	21,143	2.0	7.1	-5.1	10,389	2,969
2004	210,429	80/20	147,300	63,129	21,043	1.6	1.7	0.0	12,933	12,733
2005	229,714	80/20	160,800	68,914	22,971	2.6	2.1	0.5	8,890	10,834
2014	237,373	80/20	166,161	71,212	23,737	0.8	2.1	-1.3	28,490	11,131
						80/20 Average		-1.5		
2018	75,429	100/0	52,800	22,629	22,629	5.4	4.1	1.3	4,215	5,503
2019	79,571	100/0	55,700	23,871	23,871	2.0	1.9	0.1	11,712	12,335
						100/0 Average		0.7		

PROPOSAL 92 – 5 AAC 29.140. Size limits, possession, and landing requirements.

PROPOSED BY: Brian Merritt.

WHAT WOULD THE PROPOSAL DO? Reduce the minimum size limit for king salmon to 26 inches for commercial troll fisheries occurring in THAs.

WHAT ARE THE CURRENT REGULATIONS? King salmon taken and retained in the commercial salmon troll fishery must measure at least 28 inches from tip of snout to tip of tail or 23 inches from the midpoint of the cleithral arch to the tip of the tail. Undersized king salmon that are taken must be released.

The commissioner may close a terminal harvest troll fishery by EO and re-open that fishery with a 26-inch minimum size restriction, if it is determined that king salmon in the THA are predominately Alaska hatchery-produced fish. A vessel that has retained king salmon that are less than 28 inches is prohibited from fishing outside of the terminal area until those fish are offloaded from the vessel and reported on a fish ticket.

In commercial seine and drift gillnet THA fisheries, permit holders may retain king salmon less than 28 inches and in most cases are allowed to sell those fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The 26-inch minimum size limit would be in effect during a terminal fishery opening, regardless of the Alaska hatchery component in that area. A smaller size limit would allow for the retention and sale of additional king salmon between 26 and 28 inches in length. Additional king salmon harvested under the proposed criteria documented as Alaska hatchery-origin king salmon would not count against the annual troll allocation.

Additionally, king salmon taken in THAs that are established hatchery terminal exclusion areas do not count against the all-gear catch limit. The additional fish harvested and sold in these areas under the proposed criteria would result in added value to the troll fishery. In THAs without terminal exclusions, king salmon documented as non-Alaska hatchery-origin count against the annual troll allocation and all-gear catch limit. A 26 to 28 inch non-Alaska hatchery-origin king salmon harvested in a THA without a terminal exclusion may result in additional revenue to the harvesting permit holder; however, that fish could potentially result in some loss in value to the troll fleet as a whole, due to the smaller weight at size compared to a treaty king salmon 28 inches or greater. The additional harvest of Alaska hatchery-produced king salmon under the proposed criteria could help raise the Alaska hatchery-produced salmon harvest value to the troll fishery, positioning the gear group closer to its allocation range, which trollers have been below since gear allocations were established in 1994 (Figure 92-1).

BACKGROUND: The 28-inch minimum size limit for king salmon was established for the commercial troll and sport fishery in 1977. In the commercial marketplace, salmon are graded by size and fishermen are paid based on the weight of fish sold. On a pound for pound basis, a larger fish is worth more than a smaller one. Additionally, salmon are often valued based on a variety of size categories with the largest fish commanding the highest price.

Fish value can also be affected by other factors and additional value discrepancies may occur based on the condition of the fish. A bright, ocean-run king salmon is valued in the commercial market much higher than a blush or darker colored king salmon. The flesh condition and corresponding market value of salmon congregating in hatchery terminal harvest areas degrades over time.

The determination of whether a king salmon is of Alaska hatchery-origin or is counted against the annual treaty all-gear catch limit is based on information collected by department port sampling staff at the time of landing. Port sampling staff identify adipose fin-clipped king salmon that may contain a CWT; the tag identifies the origin of the fish. Each tagged hatchery fish represents a certain number of untagged fish from the release group, and the Alaska hatchery proportion of the harvest is determined based on tagging rate for the release group, the number of fish observed by staff and the total harvest reported from that area. If the Alaska hatchery percentage for a THA indicates the fish are predominately Alaskan hatchery-produced salmon, current regulations allow the minimum size limit for that area to be reduced by EO.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Reducing size restrictions for king salmon caught in a THA troll fishery to 26 inches may already be accomplished under emergency order authority.

The department has concerns for modifying size restrictions for the non-exclusion THAs, as historical data show these areas can have a variety of other non-Alaska hatchery-produced king salmon stocks present. The harvest of these other non-Alaska hatchery-produced king salmon stocks in the THAs has been reduced in recent years following regional wild SEAK king salmon conservation measures that included delaying initial openings in THAs until June 1, when Alaska hatchery-produced king salmon are most abundant in those areas. However, the department would have concerns with impacts from liberalizing regulations in THAs located near those systems identified as stocks of concern, with particular concern for increased harvest of inside rearing SEAK wild king salmon stocks, which have higher encounter rates than other stocks in SEAK.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

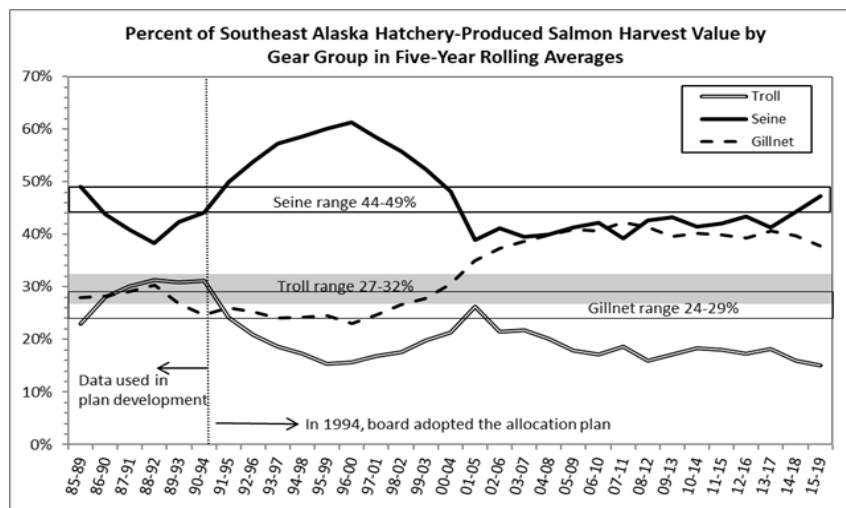


Figure 92-1.—Percent of Southeast Alaska hatchery-produced salmon harvest value by gear group in five-year rolling averages.

PROPOSAL 93 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Ketchikan Indian Community.

WHAT WOULD THE PROPOSAL DO? The SEAK regional nonresident king salmon annual limit would be capped at three fish.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.005) directs the management of the sport fishery by specifying regionwide bag limits for resident and nonresident anglers and annual limits for nonresident anglers at various levels of king salmon abundance, as measured by the SEAK early winter troll CPUE metric and the corresponding allocation to the sport fishery.

Management prescriptions outlined in each tier of the plan are less restrictive for residents primarily by establishing lower bag limits and/or annual limits for nonresidents. The current plan specifies that in management tiers in 5 AAC 47.055 (d) and (c) (Table 82-1) the nonresident king salmon annual limit is set at four and five fish, respectively. Under the remaining tiers the nonresident king salmon annual limit is set at three or fewer fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Capping the nonresident king salmon annual limit to three fish in tiers (d) and (c) would restrict the nonresident sport harvest, making it unlikely the sport fishery would achieve its allocation. Nonresident harvest of PST king salmon would be reduced by approximately 5,100 fish in tier (c) and 3,100 fish in tier (d). The department could use its emergency order authority to harvest these unharvested fish in fisheries to ensure Alaska utilizes its PST all-gear catch limit. This would result in a reallocation of fish.

BACKGROUND: The current management prescriptions established in each tier are set to achieve the sport fishery allocation in adherence to the following objectives of the *Southeast Alaska King Salmon Management Plan*: manage the sport fishery for its allocation, allow uninterrupted sport fishing in salt waters for king salmon while not exceeding the sport fishery harvest ceiling, minimize regulatory restrictions on resident anglers, and provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes.

The proportion of the king salmon sport harvest between resident and nonresident anglers has been addressed at past board meetings, and as a result, the board has taken steps to increase resident harvest opportunity and decrease nonresident harvest of king salmon by establishing less restrictive management prescriptions for residents in the *Southeast Alaska King Salmon Management Plan*. At higher abundances resident bag limits are set greater than nonresidents. At all levels of abundance nonresidents have an annual limit while residents do not. At the lower abundance levels closures to the nonresident king salmon fishery are enacted prior to closing to residents, or there is specific instruction not to close the resident king salmon fishery except when necessary for conservation purposes. At the lowest levels of abundance, the board specifies nonretention periods or other restrictions for resident and nonresident anglers be set to obtain 20% of the harvest reduction from resident anglers and 80% from nonresident anglers. Additionally, the board has sought parity between resident and nonresident king salmon anglers outside of the plan by prohibiting retention of king salmon by operators and crewmembers while clients are on board and limiting the maximum number of fishing lines from an active charter vessel to the number of paying clients while not exceeding the regional six-line limit.

Since 1992 when the plan was enacted, the regional resident king salmon fishery has been closed once, in 2017. In 2017 many of the king salmon stocks that contribute to the SEAK commercial and recreational fisheries were experiencing record-low production. These stocks originate in SEAK, British Columbia, Washington, and Oregon. To provide protection for SEAK wild stocks and meet PST requirements, extreme management measures were necessary to curtail harvests. Retention of king salmon was prohibited from August 10 through September 30 in the SEAK commercial troll, purse seine, and sport fisheries. Inseason information received from a variety of agency and academic sources all indicated that poor production conditions were occurring making it imperative for Alaska to reduce harvest.

No king salmon stock specifically has a positive or negative C&T finding in Southeast Alaska. The positive C&T findings are for salmon, and harvest of king salmon incidental to other salmon fisheries is generally allowed.

Since 2010 the number of SEAK anglers has averaged 120,224 anglers (range 106,057–133,405) of which resident anglers averaged 31,232 (26%, range 27,443–35,204) while nonresident anglers averaged 88,992 (74%, range 78,614–101,169). For this same period, SEAK king salmon harvest averaged 58,103 (range 30,861–86,942) with resident anglers averaging 36% (range 30%–49%) and nonresident 64% (range 51%–70%) of the harvest.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal as it would unnecessarily restrict sport harvest, making it unlikely the sport fishery would achieve its allocation.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 94 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Ralph Fenner.

WHAT WOULD THE PROPOSAL DO? Nonresident fishing would be closed two days per week after June 15 and reduce the annual nonresident limit to two or one king salmon, except in those areas where Alaska hatchery-produced king salmon are expected to return.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* (5 AAC 47.005) directs the management of the sport fishery by specifying regionwide bag limits for resident and nonresident anglers and annual limits for nonresident anglers at various levels of king salmon abundance, as measured by the SEAK early winter troll CPUE metric and the corresponding allocation to the sport fishery.

Management prescriptions outlined in each tier of the plan are less restrictive for residents primarily by establishing lower bag limits and/or annual limits for nonresidents. The current plan specifies that in management tier in 5 AAC 47.055 (g) (Table 82-1) the nonresident fishery will be closed prior to closing the resident fishery. In management tier (h) (Table 82-1) if the department projects that the king salmon sport harvest ceiling is going to be exceeded, the nonresident seasons and bag limits will be adjusted so that there are no closures for residents.

Under the plan the department may, by emergency order, establish that the nonresident harvest and annual limits for king salmon do not apply in a hatchery terminal harvest area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If employed at higher abundance levels these actions would unnecessarily restrict the nonresident sport harvest, making it unlikely the sport fishery would achieve its allocation. Nonresident harvest of PST king salmon would be reduced by approximately 7,000 fish in tier (c), 6,000 fish in tier (d) and 5,000 fish in tier (e). Reductions of nonresident PST king salmon harvest in tiers (f) and (g) would be 3,500 and 2,500 fish respectively. At king salmon abundances at or below management tier (h), the reduction in nonresident PST king salmon harvest would be less, approximately 1,000 fish, given the current plan already reduces the nonresident king salmon harvest limit from two to one fish June 16 through December 31 and the nonresident king salmon fishery is closed July 1 through August 15.

BACKGROUND: Proposals 82, 83, 84, 85, 86, 88 and 94 recommend actions to modify the *Southeast King Salmon Management Plan* in response to changes made to the PST that was recently renewed in 2019. Additional background is provided in Proposal 82 and background pertinent to the allocation of harvest opportunity between resident and nonresident anglers is provided in Proposal 84.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal as it would unnecessarily restrict sport harvest, making it unlikely the sport fishery would achieve its allocation.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 95 – 5 AAC 47.055. Southeast Alaska King Salmon Management Plan.

PROPOSED BY: Sitka Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? A provision would be added to the *Southeast Alaska King Salmon Management Plan* directing the department to liberalize king salmon regulations inseason for resident and nonresident anglers when annual sport fishery harvest is projected to be less than the allocation.

WHAT ARE THE CURRENT REGULATIONS? The *Southeast Alaska King Salmon Management Plan* does not provide guidance on implementation of liberalized regulations inseason to achieve the sport allocation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? In the event the sport fishery is projected to be under its allocation inseason, management action could be used to increase opportunity in the sport fishery. This may result in the sport fishery achieving a greater proportion of its allocation depending how early in the season an underage is identified.

BACKGROUND: Two of the four objectives of the plan specifically address inseason management as follows: Objective (2) allow uninterrupted sport fishing in salt waters for king salmon while not exceeding the sport fishery harvest ceiling. Objective (4) provide stability to the sport fishery by eliminating inseason regulatory changes, except those necessary for conservation purposes.

Throughout the season the department estimates the sport harvest of PST king salmon utilizing creel sampling and saltwater logbook data. Typically, the king salmon sport fishery is over 60% complete by the end of June, 80% by mid-July and 80 to 90% by August. Estimates of sport harvest become more precise as the season progresses while the sport fisheries capacity to increase harvest decreases. The ability for the sport fishery to increase harvest to obtain its allocation depends on how early in the season the sport underage is identified. The sport fishery may not be able to utilize all of its allocation when an underage is identified later in the season.

During the 2020 season the sport fishery experienced an unprecedented reduction in effort associated with the COVID-19 pandemic and travel restrictions. Inseason department projections indicated the sport fishery would not achieve its allocation and a series of inseason management actions were issued to increase opportunity in the sport fishery. Despite these actions the sport fishery did not achieve its allocation in 2020.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. If this proposal is adopted the department requests specific guidance on the establishment of resident and nonresidents regulations to increase king salmon harvest inseason. The department has concerns if actions are taken to reduce flexibility to achieve escapement goals of Alaska stocks during times of low abundance.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

COMMITTEE OF THE WHOLE – GROUP 2: ENHANCEMENT AND SPECIAL HARVEST AREAS (14 proposals – Chair TBD)

Enhancement and Special Harvest Areas (14 Proposals)

PROPOSAL 96 – 5 AAC 33.369. District 1: Herring Bay Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Charlie Piercy.

WHAT WOULD THE PROPOSAL DO? Expand waters of the Herring Bay Troll THA.

WHAT ARE THE CURRENT REGULATIONS? The Herring Bay Troll THA is open for commercial salmon trolling to harvest surplus Whitman Lake hatchery king salmon from July 1 through August 30, unless closed earlier by EO. The THA boundaries exclude all waters of Carroll Inlet north of the latitude of California head (Figure 96-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Expanding the current northeastern boundary of the Herring Bay Troll THA to include additional waters of Carroll Inlet would increase the open fishing area and harvest of king salmon by troll gear outside of the general summer king salmon retention periods.

BACKGROUND: In 2012, the Herring Cove THA Salmon Management Plan was adopted. At that time, the SSRAA was permitted to release king salmon from the Whitman Lake Hatchery site, which is located at the head of Herring Bay, approximately nine miles south of Ketchikan. In 2016, the SSRAA permit was expanded to allow release of king salmon at the net pen rearing site at the head of Carroll Inlet (Figure 96-1). In 2018, the board adopted the Carroll Inlet THA Salmon Management Plan, which allows troll, drift gillnet, and purse seine permit holders an opportunity to harvest surplus hatchery-origin king salmon returning to the area from June 1 through July 1. These dates were chosen to help alleviate management concerns for wild pink and chum salmon returning to the area in early July. The Carroll Inlet THA includes the waters of Carroll Inlet north of the latitude of Nigelius Point.

Prior to the establishment of the Carroll Inlet THA, troll fishery opportunities were provided in the waters of Carroll Inlet between California Head and Nigelius Point in the Mountain Point spring troll fishery, which included all waters of Carroll Inlet. Following the establishment of the THA, the Mountain Point fishery boundaries were modified to include those waters of Carroll Inlet adjacent to the new THA during the month of June.

In 2020, the department expanded the Herring Bay Troll THA by EO from July 10 through July 31 to include the waters of Carroll Inlet north of the latitude of California Head and south of 55°24.27' N lat. This time and area expansion provided opportunity to harvest surplus hatchery-origin king salmon in Carroll Inlet through the end of the current year's run, while alleviating concerns for wild pink and chum salmon harvest. Current troll closed waters regulations prohibit the taking of salmon with troll gear in the waters of Carroll Inlet north of 55°24.27' N lat, from July 1 through September 30.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal that could increase the harvest of king salmon by troll gear.

The department has minimal wild king salmon encounter concerns with this time and area expansion. Wild king salmon can be encountered in this area during this time period but the area is open during the time period when hatchery king salmon are most prevalent. The department recommends an ending date closer to the seasonal termination of the hatchery-origin runs from Whitman Lake and Carroll Inlet releases, as was done by EO on July 31 in 2020. Although the expansion of the Herring Bay Troll THA did not occur until July 10 in 2020, the department does not have concerns for an initial start date of July 1.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

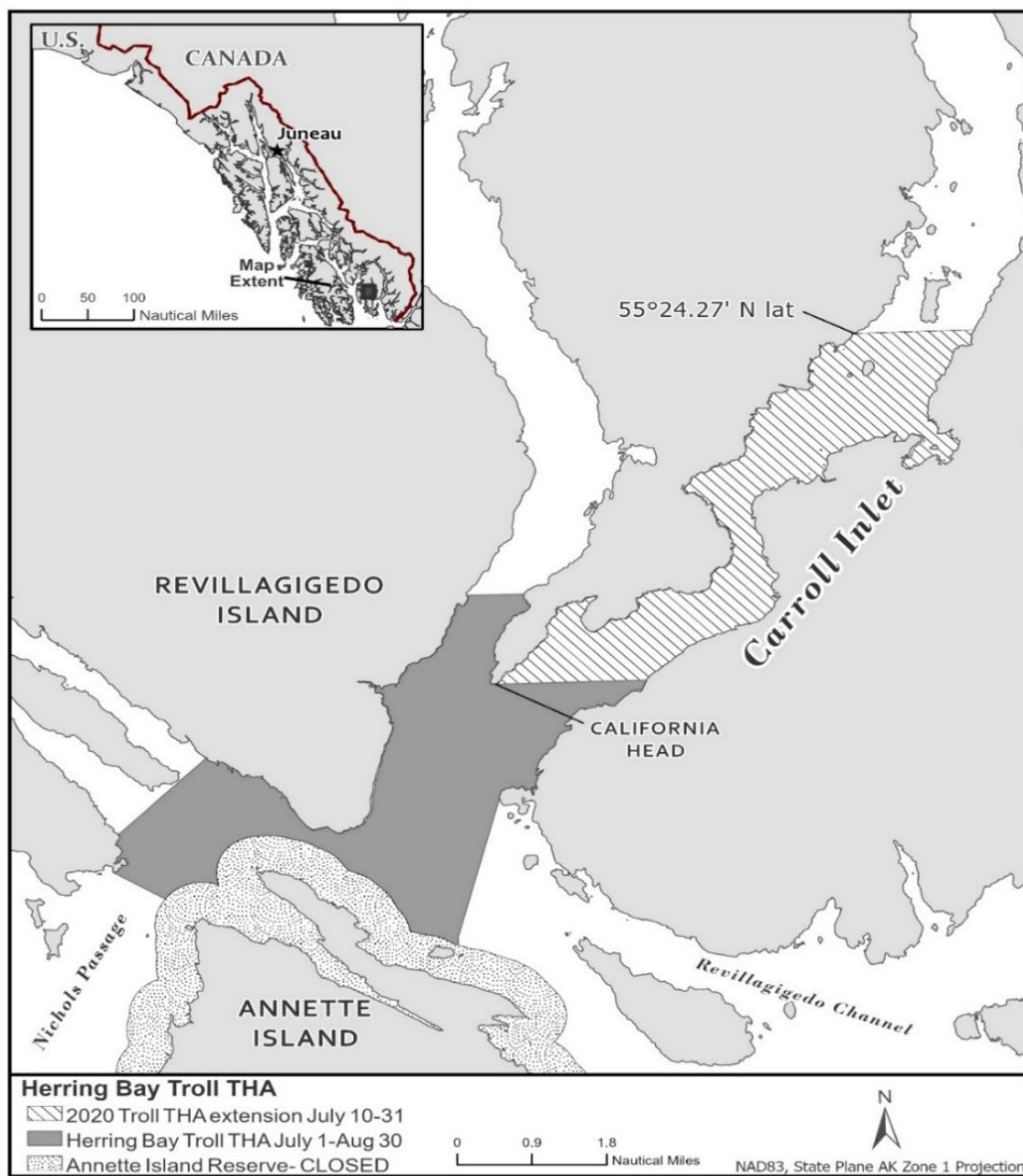


Figure 96-1.–Herring Bay Troll THA.

PROPOSAL 97 – 5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Steve Merritt.

WHAT WOULD THE PROPOSAL DO? A defined area within the Anita Bay THA would be closed from June 1 through June 30 to commercial fishing with purse seine and drift gillnet gear and open to troll gear unless the spring troll areas are open to commercial fishing in statistical areas 106-30 and 108-10.

WHAT ARE THE CURRENT REGULATIONS? The Anita Bay THA management plan defines the THA boundaries (Figure 97-1) and sets fishing times for commercial gear groups. Commercial trolling is allowed from May 1 through November 10 and purse seine and drift gillnet gear is allowed during time periods specified by EO.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would define an area open exclusively to troll gear during the month of June when the spring troll areas in Districts 1 and 8 remain closed to troll gear. The troll harvest of hatchery-produced king salmon within the Anita Bay THA would likely increase. The enhanced salmon management plan (5 AAC 33.364) provides a framework for the distribution of hatchery-produced fish among the commercial gear groups. The plan sets value allocations at 44–49% seine, 27–32% troll, and 24–29% drift gillnet. The performance is evaluated annually based on a five-year average. If the value by a gear group is outside its percentage range for three consecutive years, the board may adjust THA fisheries to bring that gear group back in alignment.

BACKGROUND: Hatchery-produced king, chum, and coho salmon return to the Anita Bay THA. The THA opens by regulation May 1 through November 10. Additional restrictions have been implemented in many fisheries to reduce the harvest of wild SEAK king salmon. These restrictions have included closing the spring troll fisheries in Districts 6 and 8 and delaying the opening of the Anita Bay THA until June 1. When the THA has opened, purse seine, drift gillnet, and troll have been opened concurrently until June 12 at which time troll remained open continuously and drift gillnet and seine gear opened on rotational basis through the end of August. After the rotational period, all three gear groups have been opened concurrently through November 10. In 2019 the outer portion of the THA was closed to drift gillnet and purse seine gear while open to troll gear exclusively through June 12. The recent 10-year average king salmon harvest in the THA during the month of June has been 50 fish for troll, 3,348 fish for drift gillnet and 1,503 fish for purse seine gear.

The enhanced salmon management plan is structured to provide a fair and reasonable distribution of hatchery salmon harvest among the commercial seine, troll, and drift gillnet fisheries, and to reduce conflicts among these users. The troll fishery is below their allocation range, the purse seine fishery is within their range, and the drift gillnet fishery is above their range (Figure 92-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

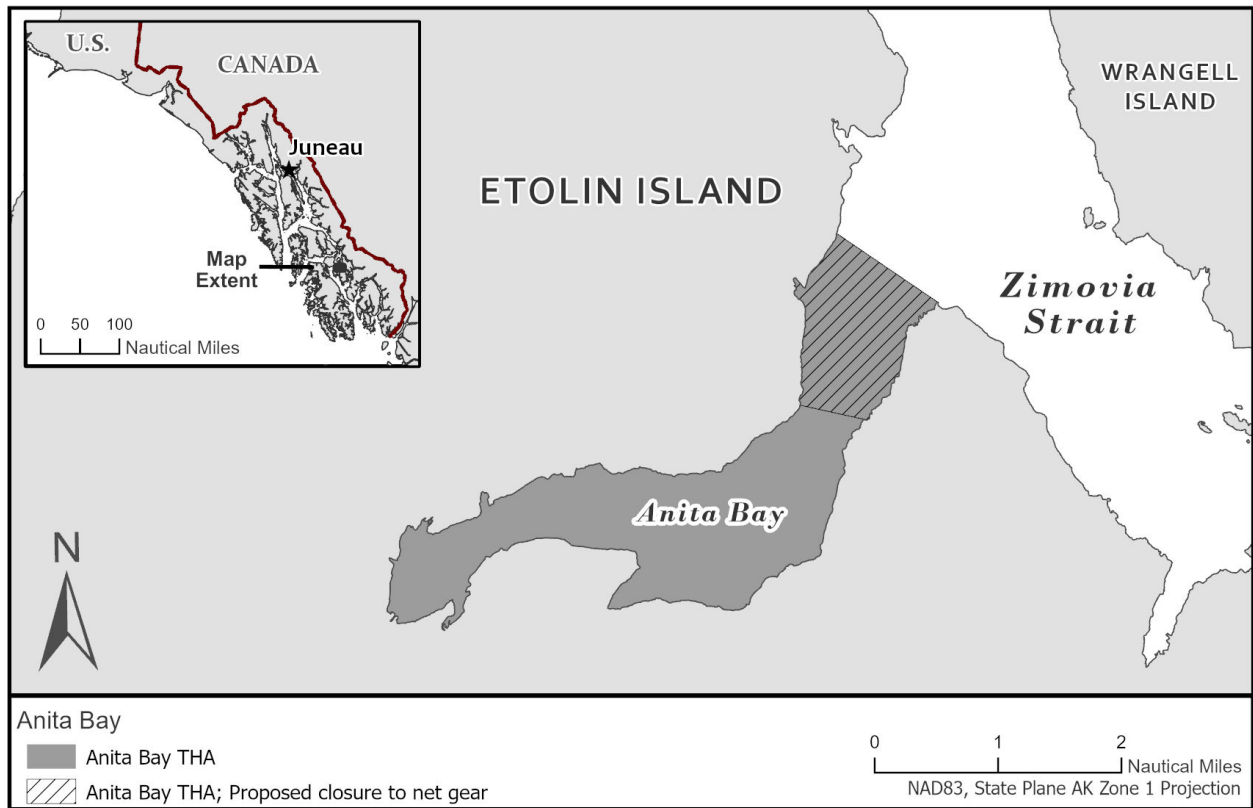


Figure 97-1.—Proposed Anita Bay area closed to net fishing.

PROPOSAL 98 – 5 AAC 33.383. District 7: Anita Bay Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Southeast Alaska Seiners Association.

WHAT WOULD THE PROPOSAL DO? Change the ratio of drift gillnet to purse seine openings in the Anita Bay THA from 2:1 to 1:2.

WHAT ARE THE CURRENT REGULATIONS? The Anita Bay THA management plan defines the THA boundaries (Figure 97-1) and sets fishing times for commercial gear groups. Commercial trolling is allowed from May 1 through November 10 and purse seine and drift gillnet gear is only allowed during time periods specified by EO. The time ratio of drift gillnet to purse seine openings is set at a ratio of 2:1. The ratio was modified to 1:1 during the 2018 to 2020 seasons, and beginning in 2021, the ratio will revert back to 2:1 gillnet to seine. The enhanced salmon management plan (5 AAC 33.364) provides a framework for the distribution of hatchery-produced fish among the commercial gear groups. The plan sets value allocations at 44–49% seine, 27–32% troll, and 24–29% drift gillnet. The performance is evaluated annually based on a five-year average. If the value by a gear group is outside its percentage range for three consecutive years, the board may adjust THA fisheries to bring the gear groups back in alignment.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The purse seine opportunity in the Anita Bay THA would double and consequently purse seine harvest would increase. Drift gillnet opportunity and harvest would decrease. Depending on actions taken in other THA fisheries, the purse seine portion of the enhanced salmon allocation would likely increase.

BACKGROUND: Hatchery-produced king, chum, and coho salmon return to the Anita Bay THA. The THA opens by regulation May 1 through November 10, but in recent years the opening date has been delayed to June 1 due to concerns for wild SEAK king salmon. Purse seine, drift gillnet, and troll have been opened concurrently until June 12 after which time troll remained open continuously and drift gillnet and seine gear opened on rotational basis through the end of August. After the rotation period, all three gear groups have been opened concurrently through November 10. Net gear rotations in the Anita Bay THA have been adjusted periodically in efforts to align the net gear groups in their enhanced salmon allocation as defined by the enhanced salmon allocation management plan. The enhanced salmon allocation management plan is structured to provide a fair and reasonable distribution of hatchery salmon harvest among the commercial seine, troll, and drift gillnet fisheries, and to reduce conflicts among these users. The troll fishery is below their allocation range, the purse seine fishery is within their range, and the drift gillnet fishery is above their range (Figure 92-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 99 – 5 AAC 33.387. District 9: Southeast Cove Terminal Harvest Area Management Plan.

PROPOSED BY: Southeast Alaska Seiners Association.

WHAT WOULD THE PROPOSAL DO? Establish a fishing rotation between purse seine and troll gear groups in the Southeast Cove THA.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Cove THA management plan defines the THA and sets the framework for fishing time between the troll, drift gillnet, and purse seine gear groups when there are hatchery-produced chum salmon in excess of broodstock and cost recovery needs. Fishing occurs from the third Sunday in June through the first Saturday in August. Gear group openings and rotations are determined by the department in consultation with the hatchery operator and established by EO.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Opportunity to harvest fish in excess of broodstock or cost recovery needs would occur on a fixed schedule for the seine and troll gear groups: Sundays and Thursdays for the purse seine and all other times for the troll. Management practices of the 2019 and 2020 season would be established in regulation.

BACKGROUND: Southeast Cove started as a remote release site for the Gunnuk Creek Hatchery (GCH) in 1994 with an initial release of 8.2 million chum salmon. In 2013, NSRAA released 4.5 million chum salmon at Southeast Cove to augment releases by GCH. Releases have continued in Southeast Cove through the current year, peaking at about 47 million in 2016. A management plan was first adopted in 2012 that included only troll and purse seine gear and was modified in 2018 to allow drift gillnet gear. Common property purse seine and troll fisheries occurred in 2019 and 2020; purse seine openings occurred on Sundays and Thursdays and troll openings occurred during times when purse seining was closed. Prior to 2019, Southeast Cove was primarily a cost recovery site for hatchery operators.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. However, regulations currently provide for drift gillnet participation and in what may be an oversight, this proposal does not address opportunity for that gear group. The department would like to point out there are no specific guidelines within the management plan for allocating hatchery-produced salmon amongst the gear groups. The allocation is left to the department and the hatchery operator. The department **SUPPORTS** having framework in regulation for the allocation of salmon within THAs. Having allocation specific guidelines in THA management plans aligns with the direction given in the enhanced salmon allocation plan (5 AAC 33.364) that requires the board to adjust fisheries within terminal harvest areas to bring gear groups back into their enhanced salmon allocation range.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 100 – 5 AAC 33.387. District 9: Southeast Cove Terminal Harvest Area Management Plan.

PROPOSED BY: Alaska Native Inter-Tribal Association of Seiners.

WHAT WOULD THE PROPOSAL DO? Exclude drift gillnet gear from fishing in the Southeast Cove THA.

WHAT ARE THE CURRENT REGULATIONS? The Southeast Cove THA management plan defines the THA and sets the framework for fishing time between the troll, drift gillnet, and purse seine gear groups when there are hatchery-produced chum salmon in excess of broodstock and cost recovery needs. Fishing occurs from the third Sunday in June through the first Saturday in August. Gear group openings and rotations are determined by the department in consultation with the hatchery operator and established by EO.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Drift gillnet gear would not be an allowed gear type in the Southeast Cove THA foregoing any harvest of hatchery-produced salmon in the THA.

BACKGROUND: Southeast Cove started as a remote release site for the GCH in 1994 with an initial release of 8.2 million chum salmon. In 2013, NSRAA released 4.5 million chum salmon at Southeast Cove to augment releases by GCH. Releases have continued in Southeast Cove until the current year, peaking at about 47 million in 2016. Annual harvest information is presented in Table 100-1. A management plan was first adopted in 2012 that included only troll and purse seine gear. The plan was modified in 2018 to allow drift gillnet gear. Common property purse seine and troll fisheries occurred in 2019 and 2020; purse seine openings occurred on Sundays and Thursdays and troll openings occurred during the time purse seining was closed. Prior to 2019, Southeast Cove was primarily a cost recovery site for the hatchery operators.

The enhanced salmon management plan is structured to provide a fair and reasonable distribution of hatchery salmon harvest among the commercial seine, troll, and drift gillnet fisheries, and to reduce conflicts among these users. The troll fishery is below their allocation range, the purse seine fishery is within their range, and the drift gillnet fishery is above their range (Figure 92-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department points out there are no specific guidelines within the management plan for allocating hatchery-produced salmon amongst the gear groups. Allocation is left to the department and the hatchery operator. Having allocation specific guidelines in THA management plans aligns with the direction given in the enhanced salmon allocation plan (5 AAC 33.364) that requires the board to adjust fisheries within terminal harvest areas to bring gear groups back into their enhanced salmon allocation range.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 100-1.—Annual harvest of all species by gear group in Southeast Cove THA, 2015–2020.

Year	Purse Seine ^a	Troll ^a	Cost Recovery/ Broodstock	Total
2015	—	—	7,240	7,240
2016	—	—	221,111	221,111
2017	—	—	46,498	46,498
2018	—	—	166,888	166,888
2019	39,556	659	853,017	893,232
2020	118,723	0	4,676	123,399
Average	79,140	330	216,572	243,061

^a Common property fisheries began in 2019.

PROPOSAL 101 – 5 AAC 33.375. District 13: Silver Bay (Medvejie Creek Hatchery) Salmon Management Plan.

PROPOSED BY: Pioneer Alaska Fisheries Inc.

WHAT WOULD THE PROPOSAL DO? This would require the department and the board to set hard triggers on an acceptable percentage of straying for each species of salmon and if exceeded, require hatchery production to be reduced the following spring from each remote release site, hatchery or THA until straying is found below the trigger level.

WHAT ARE THE CURRENT REGULATIONS? The Silver Bay Salmon Management Plan defines an area in Silver Bay to ensure chum salmon broodstock escapement to Medvejie Creek Hatchery and allows common property fisheries to harvest excess salmon, including king salmon by troll gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The proposal would have little to no effect on Crawfish Inlet as Crawfish Inlet is not in the area defined in the Silver Bay Management Plan. Crawfish Inlet is managed under 5 AAC 33.380 *District 13: Crawfish Inlet Terminal Harvest Area Salmon Management Plan*. Reducing hatchery chum salmon production would not be apparent in the commercial fishery until returns from impacted brood years are realized.

This proposal may affect fishery management considerations related to issues of effort on wild and hatchery stock salmon. Hatchery fisheries in the Silver Bay, Deep Inlet, and Crawfish Inlet THAs can attract a large proportion of purse seine fishing effort at different times of the year. This serves to reduce effort on wild stocks and in other hatchery THAs and to distribute the fleet throughout Southeast. A reduction of hatchery chum salmon in these areas could increase effort on other wild and enhanced salmon stocks and possibly result in more conservative management of those fisheries. An additional effect would be a potential increase in the proportion of the total return required for cost recovery, thus reducing opportunity for common property fisheries.

BACKGROUND: Crawfish Inlet, a chum salmon release site for Sawmill Creek Hatchery is located approximately 30 miles outside the defined area of the Silver Bay Salmon Management Plan. The *District 13: Crawfish Inlet Terminal Harvest Area Salmon Management Plan* (5 AAC 33.380) defines the area in Crawfish Inlet open to harvest of hatchery produced king and chum salmon by the troll, purse seine and drift gillnet fleet.

NSRAA began releasing chum salmon fry at the remote release site of Crawfish Inlet beginning in 2015. Chum salmon fry releases from 2015–2020 have averaged approximately 22,206,000 fish annually and have ranged from 13,370,000 fish in 2015 to 27,320,000 fish in 2018 (Table 101-1). The first chum salmon returned in 2017, but significant common property and cost recovery harvests did not occur until 2018 (Table 101-1). From 2017–2020, the average annual common property harvest was 1,243,000 fish and cost recovery chum salmon harvest was 472,000 fish, (Table 101-1). From 2018–2020, the total run size for chum salmon returning to Crawfish Inlet averaged 2,338,000 fish (Table 101-1).

The *Comprehensive Salmon Enhancement Plan for Southeast Alaska* mentions a “2% rule” as a “trigger point” for concern and for consideration of project modification to reduce straying but does not dictate any specific actions if this rate is exceeded. The *Alaska Department of Fish and Game Genetic Policy* (Genetic Policy) does not define an acceptable rate of straying and provides rationale for why a single rate is not appropriate. It is difficult to develop stray rate thresholds that

are scientifically defensible. The Genetic Policy outlines considerations in assessing stray rates: species (each species has different propensities to stray), the significance or uniqueness of the wild stock (e.g., escapement size, geographic distribution, life histories); and the hatchery broodstock origin and distance from, and life history similarity to, native salmon streams. Measuring stray rates is also not straightforward and should consider sampling methods within and across years (e.g., how many times a year and for how many years), single stream or streams representing a geographic area, and which streams (e.g., level of escapement and distance from release site to qualify a stream for sampling). Stray rates may vary greatly within years due to run timing differences between hatchery and wild fish and may vary greatly between years due to variable freshwater survival of wild stocks relative to hatchery stocks. Finally, harvest management can impact the levels of straying.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. In permitting hatchery operations, the department considers many of the concerns raised in this proposal, including the need to minimize negative interactions between hatchery-produced and wild salmon, minimize straying, and the need to ensure harvest practices targeting hatchery-produced salmon do not negatively impact wild fish. As new information becomes available through sources such as Alaska Hatchery Research Project, the department will consider this information during review of hatchery permits on a case-by-case basis and consider permit alterations, if appropriate.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal will result in an additional research cost for the department.

Table 101-1.—Crawfish Inlet hatchery chum salmon fry releases, harvest, and estimated run size, 2015–2020.

Year	Fry Released	Common Property Harvest ^a	Cost Recovery Harvest	Run size
2015	13,370,294	—	—	—
2016	27,794,243	—	—	—
2017	23,042,232	27,513	89,036	—
2018	27,319,517	2,119,944	1,244,691	3,448,000
2019	15,205,614	1,879,212	58,523	2,039,239
2020	26,506,045	944,795	495,693	1,526,233
Average	22,206,324	1,242,866	471,986	2,337,824

^a Common property harvest includes seine, power troll, and hand troll gear from statistical areas 113-32 and 113-33.

PROPOSAL 102 – 5 AAC 33.376. District 13: Deep Inlet Terminal Harvest Area Salmon Management Plan.

PROPOSED BY: Southeast Alaska Seiners Association.

WHAT WOULD THE PROPOSAL DO? This would change the ratio of gillnet to seine openings in the Deep Inlet THA from 2:1 to 1:2.

WHAT ARE THE CURRENT REGULATIONS? The Deep Inlet THA management plan provides guidelines to the department to distribute the harvest of hatchery-produced salmon in the THA between the purse seine, drift gillnet, and troll gear groups. Salmon may be taken by the troll gear group when the THA is closed to the net fisheries, including cost recovery. The current ratio of drift gillnet to purse seine openings in regulation is 2:1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would increase purse seine opportunity in Deep Inlet THA and reduce drift gillnet opportunity.

BACKGROUND: The enhanced salmon allocation plan defines fair and reasonable distribution of hatchery-produced salmon harvest among the seine, troll, and gillnet fleets. Through 2019 preliminary data, purse seine is within, troll is below, and drift gillnet is above their allocation ranges (Figure 92-1). According to board findings, when harvest adjustments are deemed necessary to meet allocation percentage goals, the following tools should be used: special harvest area management adjustments; new production; and modification of existing production. New production and modifications of existing production are considered long term and will take five to ten years to have an impact. Changes in special harvest areas can be used in the short term to help modify imbalances until long-term adjustments can take effect.

The Deep Inlet THA management plan, adopted in 1991, directed the department to manage the fishery, in consultation with Northern Southeast Regional Aquaculture Association, to provide a time ratio for gillnet openings to seine openings of 2:1 and allow troll gear when the THA is closed to net fisheries, including cost recovery. Since 2009, net rotations have been altered due to the seine fleet being below their allocation range and the gillnet fleet being above their allocation range. From 2009 through 2014, the time ratio of gillnet openings to seine openings was 2:1 prior to the third Sunday in June and the time ratio was 1:1 from the third Sunday in June through the remainder of the season. For 2015 through 2017, the time ratio for gillnet openings to seine openings was 2:1, except from the third Sunday in June through statistical week 30 when the time ratio for gillnet openings to seine openings was 1:1. During the 2018 season, the ratio of drift gillnet to seine openings was 1:2; during the 2019 and 2020 seasons, the ratio of drift gillnet to seine openings was 1:1. From 2011 to 2020 the average annual chum salmon harvest for drift gillnet was 365,000 fish and for purse seine gear was 640,000 fish (Table 102-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 102-1.–Deep Inlet THA annual common property chum salmon harvest, 2001–2020.

Year	Purse Seine	Drift Gillnet	Troll	Total
2001	222,198	266,796	13,158	502,152
2002	118,558	186,584	637	305,779
2003	379,575	212,892	14,616	607,083
2004	629,459	421,070	10,107	1,060,636
2005	410,610	432,483	32,250	875,343
2006	965,713	651,689	25,488	1,642,890
2007	110,348	113,546	857	224,751
2008	322,008	213,581	4,369	539,958
2009	277,492	119,719	42,994	440,205
2010	802,653	296,907	20,682	1,120,242
2011	104,626	83,581	2,841	191,048
2012	333,868	183,309	12,880	530,057
2013	581,669	600,377	1,858	1,183,904
2014	590,875	278,245	5,103	874,223
2015	1,308,994	759,080	7,558	2,075,632
2016	610,242	447,215	7,159	1,064,616
2017	750,771	352,446	4,214	1,107,431
2018	959,896	310,642	40,848	1,311,386
2019	755,947	421,556	24,114	1,201,617
2020	402,142	209,899	2,624	614,665
2011–20 Avg	639,903	364,635	10,920	1,015,458

PROPOSAL 103 – 5 AAC 33.363. Management guidelines for allocating Southeast Alaska pink, chum, and sockeye salmon between commercial net fisheries.

PROPOSED BY: Pioneer Alaska Fisheries Inc.

WHAT WOULD THE PROPOSAL DO? This would require the department and the board to set hard triggers on an acceptable percentage of straying for each species of salmon and if exceeded, require hatchery production to be reduced the following spring from each remote release site, hatchery or THA until straying is found below the trigger level.

WHAT ARE THE CURRENT REGULATIONS? The management guidelines for allocating Southeast pink, chum and sockeye salmon define fair harvest management of both hatchery-produced and wild salmon between the seine and drift gillnet fleets based on historical harvest rates.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Reductions in hatchery production could affect fishery management considerations related to issues of effort on wild and hatchery stock salmon. Hatchery THA fisheries can attract a large proportion of the commercial fishing fleet at different times of the year. This serves to reduce effort on wild stocks and in other hatchery THAs and to distribute the fleet throughout Southeast. A reduction of hatchery production in certain areas could increase effort on other wild and enhanced salmon stocks and possibly result in more conservative management of those fisheries. An additional effect would be a potential increase in the proportion of the total return required for cost recovery.

BACKGROUND: Allocation guidelines for the management of pink, chum, and sockeye salmon were first adopted in 1989. The regulation followed several years of controversy over allocation of these species between the drift gillnet and purse seine gear groups. The board set the allocation based on the historical pattern of harvests. The board did not establish the allocation percentages as annual management targets but as percentages to consider future allocation decisions. In 2003 after a series of very large pink salmon runs and extended fishing time in the purse seine fishery to take advantage of these large runs, an additional section was added that clarified the board's intent that significant changes in salmon management will not disrupt the allocation balance and burden of conservation.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The proposal unnecessarily places language from Alaska Statute into Alaska Administrative Code that was promulgated under authority of Alaska Statute. The *Comprehensive Salmon Enhancement Plan for Southeast Alaska* mentions a “2% rule” as a “trigger point” for concern and for consideration of project modification to reduce straying but does not dictate any specific actions if this rate is exceeded. The *Alaska Department of Fish and Game Genetic Policy* (Genetic Policy) does not define an acceptable rate of straying and provides rationale for why a single rate is not appropriate. It is difficult to develop stray rate thresholds that are scientifically defensible. The Genetic Policy outlines considerations in assessing stray rates: species (each species has different propensities to stray), the significance or uniqueness of the wild stock (e.g., escapement size, geographic distribution, life histories); and the hatchery broodstock origin and distance from, and life history similarity to, native salmon streams. Measuring stray rates is also not straight-forward and should consider: sampling methods within and across years (e.g., how many times a year and for how many years), single stream or streams representing a geographic area, and which streams (e.g., level of escapement and distance from release site to qualify a stream for sampling). Stray rates

may vary greatly within years due to run timing differences between hatchery and wild fish and may vary greatly between years due to variable freshwater survival of wild stocks relative to hatchery stocks. Finally, harvest management can impact the levels of straying. As more data become available through sources such as the Alaska Hatchery Wild Interaction Research Project, the department will review hatchery projects on a case-by-case basis and respond accordingly.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal will result in an additional research cost for the department.

PROPOSAL 104 – 5 AAC 33.3XXX. New section.

PROPOSED BY: Southern Southeast Regional Aquaculture Association.

WHAT WOULD THE PROPOSAL DO? Create a THA and management plan for harvesting enhanced stocks returning to Burnett Inlet (Figure 104-1).

WHAT ARE THE CURRENT REGULATIONS? Fishing within Burnett Inlet is limited to cost recovery and brood stock collection.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A management plan and THA would be codified to distribute hatchery-produced salmon in excess to broodstock and cost recovery needs. Presumably, if a surplus exists beyond those needs, openings would be rotated between gear groups on a schedule determined by the department and SSRAA.

BACKGROUND: SSRAA has operated a facility within Burnett Inlet since 1997, producing sockeye and coho salmon until 2012 when production switched to primarily chum salmon. The inlet is long and narrow, measuring approximately 5.75 nmi long by 0.4 nmi wide at its widest point at the latitude line described by **56°04.65' N lat. Wild pink and coho salmon systems are located within and nearby the inlet.**

DEPARTMENT COMMENTS: The department **OPPOSES** common property fisheries within the confines of Burnett Inlet because of the presence of wild stocks and the congested, disorderly nature of a fishery that would result if the small area were to open to commercial gear. **The limited area of the inlet would accommodate only a limited number of commercial fishing vessels and would lead to a disorderly fishery with even a small number of vessels participating. A single unit of gillnet or seine gear could potentially extend from one shore to the opposite shoreline leaving little room for vessels to maneuver** or to exit the inlet without interfering with deployed gear. Likewise, even a small number of troll vessels would have trouble operating in this area. The intensive nature of common property fisheries would likely increase the harvest of wild salmon returning to systems within and nearby Burnett Inlet. Burnett Inlet is best suited for the limited gear and precision of a cost recovery only fishing area due to narrow confines and limited area and the location of wild salmon stocks relative to the proposed THA.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

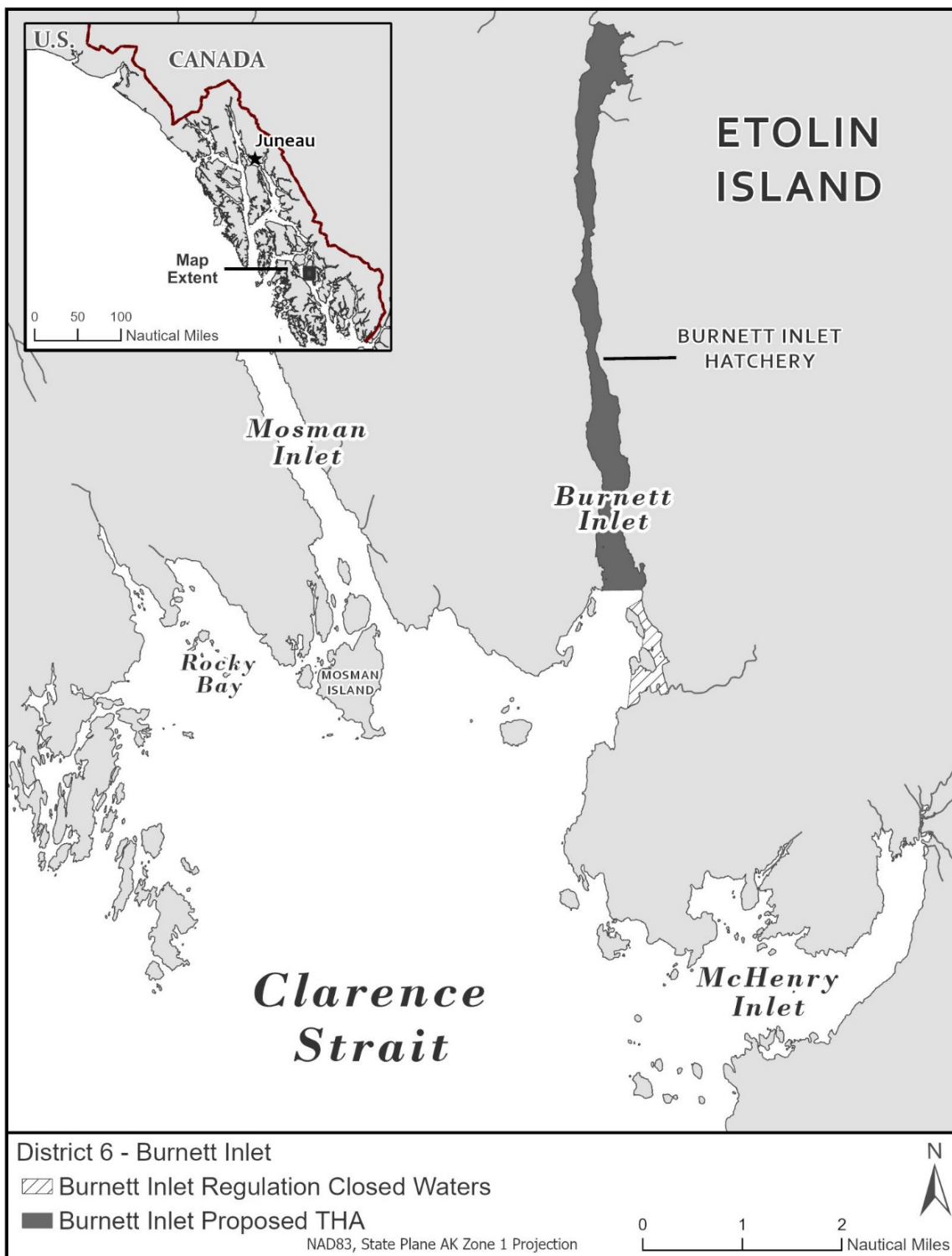


Figure 104-1.—Proposed Burnet Inlet THA.

PROPOSAL 105 – 5 AAC 33.3XX. New Section.

PROPOSED BY: Southern Southeast Regional Aquaculture Association.

WHAT WOULD THE PROPOSAL DO? Establish a THA in Port Saint Nicholas and provide the department with guidelines to distribute harvest of returning king salmon between purse seine, drift gillnet, and troll fleets.

WHAT ARE THE CURRENT REGULATIONS? Currently there is no regulation for a Port Saint Nicholas THA. There is a Port St. Nicholas SHA established in regulation that opens Port St. Nicholas east of the longitude of 133°02.92' W long (approximately halfway into the bay).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The establishment of a THA in Port Saint Nicholas (Figure 105-1) will provide the department with the ability to open Port Saint Nicholas to common property harvest if there is surplus king salmon to cost recovery needs or ability to harvest.

BACKGROUND: The Port Saint Nicholas Hatchery (PSNH) was built in 2004 by the Prince of Wales Hatchery Association (POWHA). PSNH began to annually release king salmon smolts in 2007. In March 2016, SSRAA took over the operation of PSNH. It is currently permitted for 770,000 green king salmon eggs, and 8 million green chum salmon eggs. SSRAA is not currently rearing or releasing any chum salmon at PSNH. King salmon release numbers under SSRAA management have been approximately 320,000 smolts per year with runs averaging 2,000 fish from 2018 to 2020 (Table 105-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal which could increase the troll treaty king salmon harvest if a THA is established. The department **SUPPORTS** establishing a THA and accompanying management plan for common property fisheries in Port Saint Nicholas. SSRAA will be increasing the release of king salmon in Port Saint Nicholas and on years where cost-recovery operations cannot keep up with larger runs or cost recovery is not needed, a management plan would provide guidelines to the department to allow for common property fisheries to harvest excess salmon. The department does not have concerns for wild SEAK king salmon encounters in the area, as there are no significant wild stocks in Port Saint Nicholas during this time. The department does have concerns with a rotational fishery with purse seine gear during the month of July in the outer portion of the bay. The Klawock River is nearby and the potential to harvest Klawock River sockeye salmon with seine gear in in the outer portion of Port Saint Nicholas is unknown. The current cost-recovery operations have been conducted with a set gillnet at the head of the bay where location and gear type negate any harvest of Klawock River sockeye salmon.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

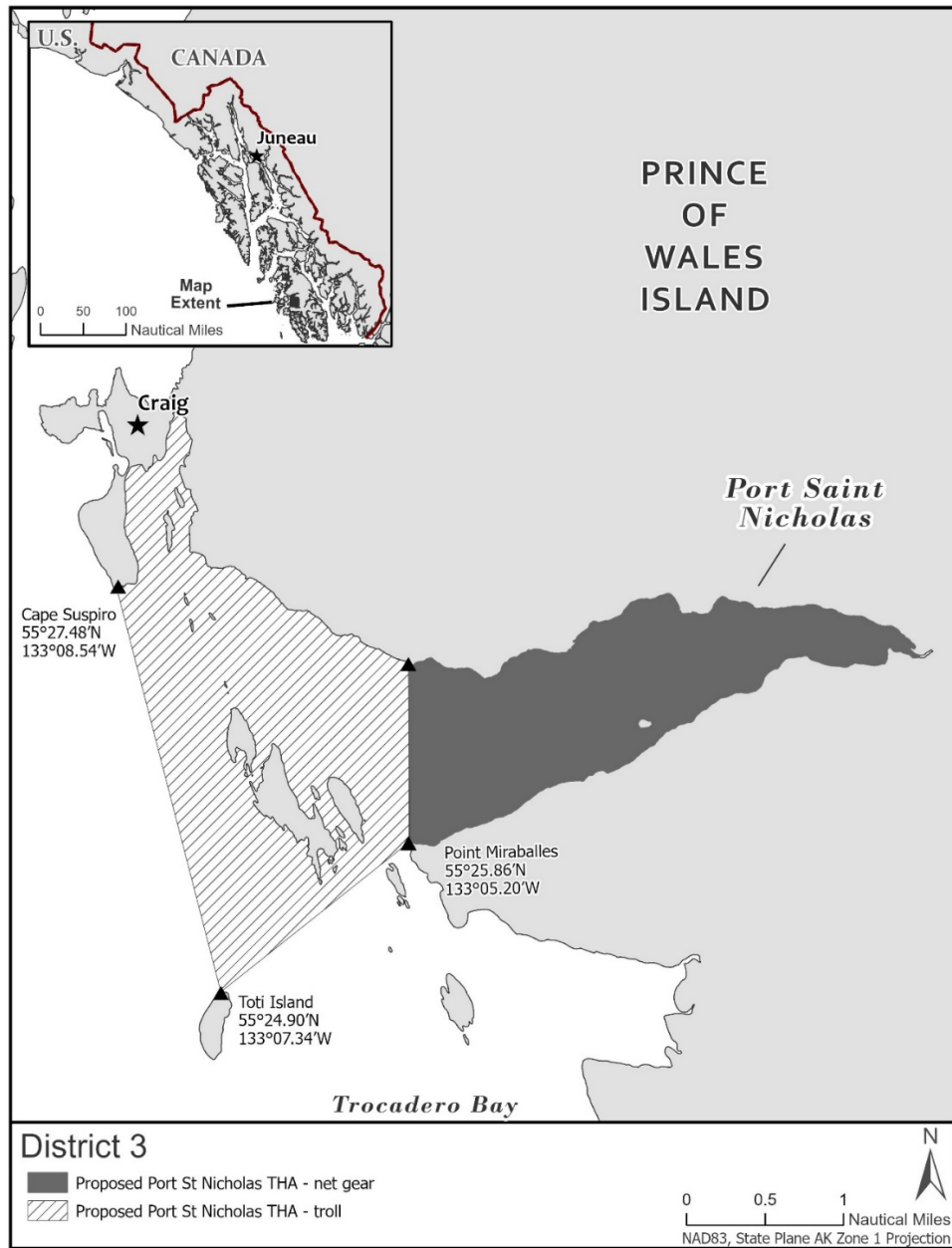


Figure 105- 1.–Proposed Port Saint Nicholas THA for troll and net gear.

Table 105-1.–Total run by year for Port Saint Nicholas king salmon, 2016–2020.

Return Year	Number of fish by age class				Total Run ^a
	Age-3	Age-4	Age-5	Age-6	
2016	18	--	--	--	18
2017	27	209	--	--	236
2018	0	1,937	378	--	2,315
2019	0	456	1,044	15	1,515
2020	8	1,622	697	10	2,337

^a Total run includes common property and cost recovery harvest

PROPOSAL 106 – 5 AAC 40.053. District 3: Port Saint Nicholas Special Harvest Area.

PROPOSED BY: Southern Southeast Regional Aquaculture Association.

WHAT WOULD THE PROPOSAL DO? This proposal would expand the waters of the Port Saint Nicholas SHA and add drift gillnet as a form of legal gear for hatchery cost recovery operations.

WHAT ARE THE CURRENT REGULATIONS? The Port Saint Nicholas SHA consists of the waters of Port Saint Nicholas east of 133°02.92' W long and west of 132°59.50' W long, located at the mouth of the Port Saint Nicholas headstream. Regulation 5 AAC 40.053(c) defines the legal types of gear that can be used by the hatchery operator as purse seine, beach seine, and dip net.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The expansion of the SHA (Figure 106-1) would establish the same boundaries as the proposed Port Saint Nicholas Terminal Harvest Area Management Plan (Proposal 105). SSRAA has requested an additional expansion to facilitate cost recovery activities on potentially larger runs stemming from increased release sizes. The addition of drift gillnet as a legal gear would clarify the board's intent when the regulation was adopted and add to regulatory language what the department has been doing with EO authority.

BACKGROUND: The Port Saint Nicholas Hatchery was built in 2004 by the POWHA. PSNH began to annually release king smolts in 2007. In March 2016, SSRAA took over the operation of PSNH. It is currently permitted for 770,000 green king salmon eggs, and 8 million green chum salmon eggs. SSRAA is not currently releasing any chum salmon at PSNH. King salmon release numbers under SSRAA management have averaged 320,000 smolts per year.

The department has issued EOs annually to authorize the hatchery operator to use gillnet as legal gear for cost recovery purposes.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The SHA is currently open from May 15 through August 15. There is little to no wild stock interaction for any species in this area with the gear used during this time. The current cost-recovery operations are sufficiently removing hatchery-produced king salmon from the current SHA; however, SSRAA intends to increase the release size to 600,000 king salmon in Port Saint Nicholas beginning in 2021.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

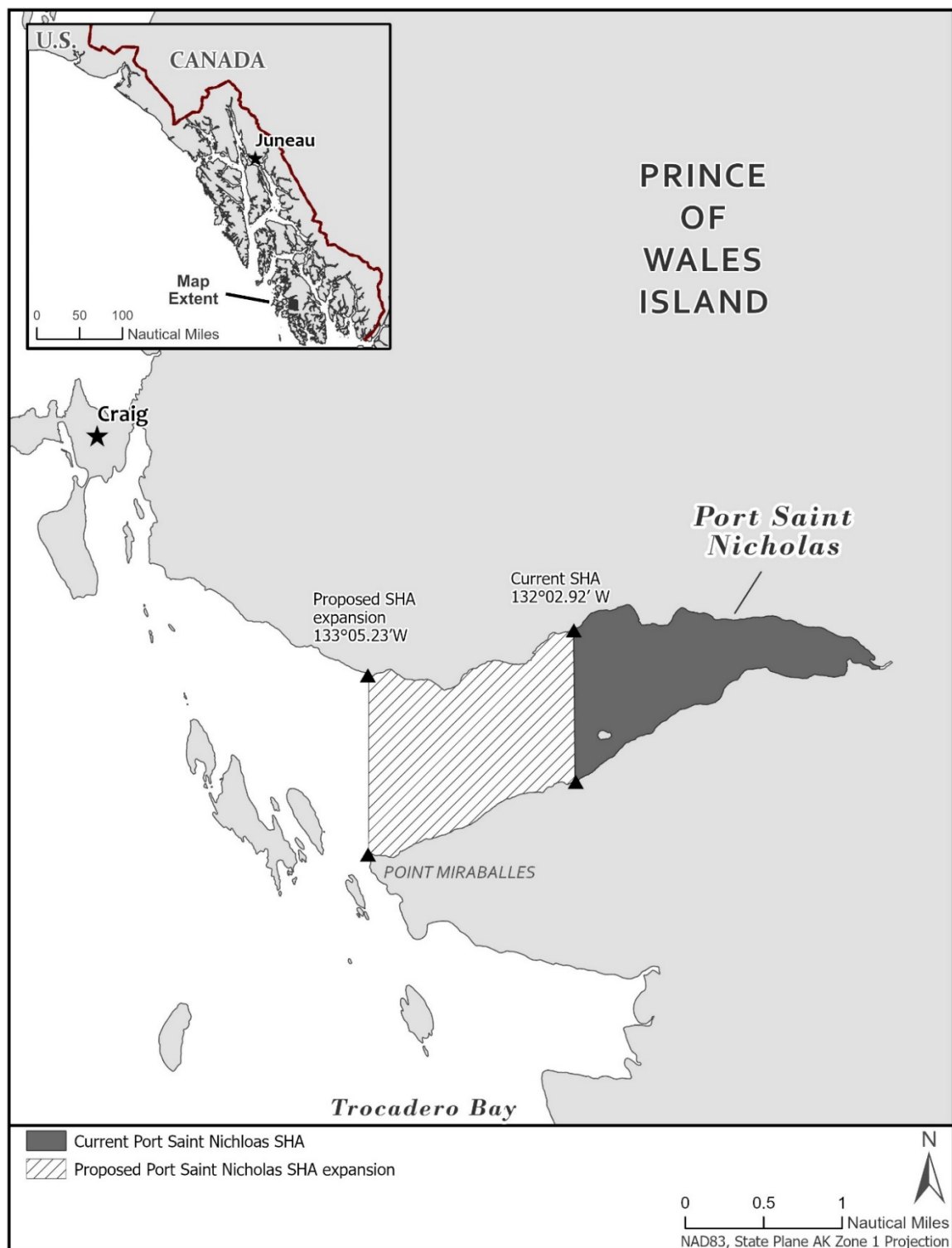


Figure 106-1.—Proposed Port Saint Nicholas SHA.

PROPOSAL 107 – 5 AAC 33.3XX. New Section.

PROPOSED BY: Southern Southeast Regional Aquaculture Association.

WHAT WOULD THE PROPOSAL DO? Establish a THA in Port Asumcion and provide the department with guidelines to distribute harvest of returning summer chum and fall coho salmon between purse seine, drift gillnet, and troll fleets.

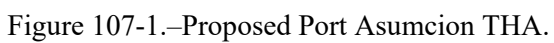
WHAT ARE THE CURRENT REGULATIONS? The department has been managing the Port Asumcion SHA by EO beginning in 2019 when coho salmon first began to return. There currently is no regulation for a Port Asumcion THA.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The establishment of a THA in Port Asumcion (Figure 107-1) and associated management plan would provide the department guidelines for opening common property fisheries if there were surplus of salmon beyond what SSRAA needs or is capable of harvesting for cost recovery.

BACKGROUND: SSRAA began releasing summer chum and fall coho salmon in 2018 in Port Asumcion. Summer chum salmon release numbers have increased from 7.4 million fish in 2018 to near the full permitted capacity of 17.9 million fish in 2019. SSRAA had coho salmon releases of 230,000 fish in 2018 and 295,000 fish in 2019. Coho salmon returns began in 2019, and the first summer chum salmon return occurred in 2020 with only the three-year-old component. Port Asumcion has been designated primarily as a cost recovery site for SSRAA for summer chum salmon; coho salmon are primarily harvested in the common property troll and sport fisheries. Expected runs in 2020 were forecasted at 37,300 summer chum and 5,900 coho salmon. The total run of summer chum salmon in 2020 was estimated to be 111,000 fish or 298% of forecast. Port Asumcion summer chum salmon runs are expected to increase significantly as runs become comprised of all age-classes and returns from increased release sizes occur.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. The department **SUPPORTS** the formation of a THA and accompanying management plan to provide for common property fisheries.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.



PROPOSAL 108 – 5 AAC 40.XXX. District 3: Port Asumcion Special Harvest Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would establish an SHA where SSRAA may conduct cost-recovery operations in Port Asumcion.

WHAT ARE THE CURRENT REGULATIONS? There is no SHA defined for Port Asumcion cost-recovery activities.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This proposal would define a new SHA, establish open fishing periods, and establish legal gear for a cost-recovery fishery in Port Asumcion (Figure 108-1).

BACKGROUND: See background for Proposal 107.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The department created a Port Asumcion SHA through EO authority in both 2019 and 2020. Establishing a Port Asumcion SHA in regulation will define the area, time, and gear that may be used by SSRAA for cost-recovery in Port Asumcion.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.



Figure 108-1.—Proposed Port Asumcion SHA.

PROPOSAL 109 – 5 AAC 40.0XX. New Section.

PROPOSED BY: Southern Southeast Regional Aquaculture Association.

WHAT WOULD THE PROPOSAL DO? This proposal would establish an SHA within Carroll Inlet that would allow SSRAA to harvest returning king salmon during periods established by EO and define legal gear hatchery operators may use.

WHAT ARE THE CURRENT REGULATIONS? A THA for Carroll Inlet was adopted by the board in 2018: the *District 1: Carroll Inlet Terminal Harvest Area Salmon Management Plan* provides for harvest of hatchery-produced king salmon by the purse seine, drift gillnet, and troll fleet. There is currently no SHA defined for Carroll Inlet.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Establishing a Carroll Inlet SHA (Figure 109-1) would provide SSRAA the opportunity to harvest king salmon returning to this remote release site after the closure of the Carroll Inlet THA.

BACKGROUND: SSRAA released king salmon in Carroll Inlet from 1986 through 1995 to provide harvest opportunity to the troll fleet. The Carroll Inlet king salmon release was resumed in 2016 after SSRAA approached the department about expanding king salmon releases to address the troll fleet's deficit in the enhanced salmon allocation. Fishermen also have more access to harvest Carroll River king salmon in June than returning Neets Bay king salmon because of the more stringent Unuk River stock of concern restrictions in the West Behm Canal corridor. Carroll Inlet king salmon returns began in 2019. Release numbers increased to SSRAA's production goal of 600,000 king salmon eggs in 2018. SSRAA forecasted a run of 7,000 king salmon for the 2020 season with approximately 4,300 fish harvested by all gear groups in both the THA and traditional fisheries.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal as written with the specification that it is opened only during periods established by EO. The department has concerns regarding the proposed open time period to designate an SHA. Carroll River contains one of the largest wild runs of summer chum salmon in the Ketchikan management area. Cost recovery efforts will need to be coordinated with the department and conducted in a way to minimize incidental harvest of wild chum salmon. Aerial surveys have historically shown chum salmon beginning to enter Carroll River in the first week of July. In 2020, 194 chum salmon were caught in the THA by gillnet and seine gear. Currently, the THA closes by regulation on June 30.

5 AAC 40.005(h) requires private nonprofit hatchery operators to take all reasonable steps to ensure that salmon harvested within the SHA are of hatchery origin, and 5 AAC 40.005(c) applies to the designation of a SHA in areas where hatchery returns enter a segregated location and can be harvested without significantly affecting wild stocks.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

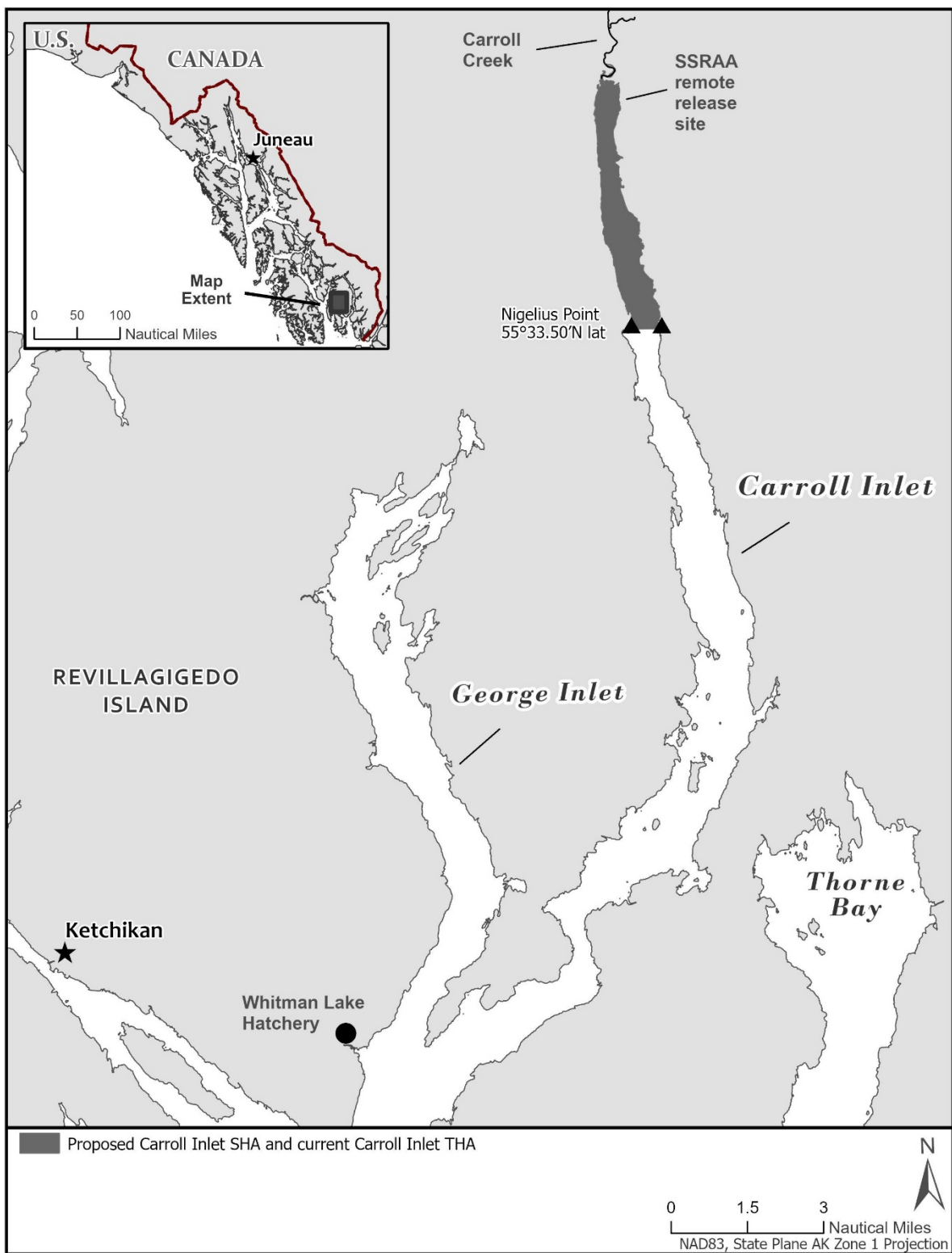


Figure 109-1.—Proposed Carroll Inlet SHA and current THA boundary.

COMMITTEE OF THE WHOLE – GROUP 3: COMMERCIAL SALMON (15 proposals – Chair TBD)

Commercial Salmon (16 Proposals)

PROPOSAL 110 – 5AAC 33.331. Gillnet specifications and operation.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Establish regulations that would require a permit holder to report to a department representative the loss of a drift gillnet or portion of a drift gillnet within 12 hours of the loss. For this regulation to be enforceable, a companion regulation requiring marking a drift gillnet with the department number of the fishing vessel will be necessary.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations governing lost gear or gear marking requirements in the Southeastern Alaska drift gillnet fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department would be made aware of any lost drift gillnet gear and recovery efforts could be made to minimize or eliminate the possibility of such gear continuing to catch and kill salmon and other marine life. Drift gillnet permit holders who lose a net or portion of a net would have to report the loss to a department representative and attempt to recover any lost gear. All drift gillnets and attached buoys would have to be marked with the operating vessel's department or CFEC permit number.

BACKGROUND: In the Southeast Alaska drift gillnet fishery, there are no regulations regarding reporting lost gear or requirements for marking nets. In the Bristol Bay region, a permit holder must report the loss of a gillnet, or portion of a gillnet, to a local representative of the department within 15 hours of the loss in person or by telephone (5AAC 06.331(t)). In Bristol Bay each drift gillnet in operation must have a red buoy, keg or cluster of floats plainly and legibly marked with the department number of the fishing vessel operating the gear on the end of the net not attached to the vessel. Additionally, at least one cork every 10 fathoms must be plainly and legibly marked with the department number of the vessel operating the gear (5 AAC 06.334).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. The proposal cites a single incident of a lost net that was visible in a highly travelled corridor as the impetus for this proposal. It is unknown how often drift gillnet gear is lost in the Southeast Alaska fishery but a drift gillnet with mesh, corks and lines can cost up to \$7,000 to replace so fishermen are unlikely to be cavalier about losing a net. Department staff have made efforts in the past to retrieve lost drift gillnet gear when surveying the fishing fleet from small boats. The lost drift gillnet reporting requirement would be unenforceable without an accompanying net marking requirement identifying the owner of the drift gillnet.

COST ANALYSIS: Approval of this proposal could result in a small additional cost for a private person to mark buoys and corks to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 111 – 5AAC 33.331. Gillnet specifications and operation.

PROPOSED BY: Southeast Alaska Fisherman’s Alliance.

WHAT WOULD THE PROPOSAL DO? This would change the maximum drift gillnet mesh size allowed by EO in 5 AAC 33.331(d) from six inches to six and one-eighth inches.

WHAT ARE THE CURRENT REGULATIONS? By EO, the Commissioner may establish a fishing period in Districts 6, 8, 11 and 15 where the maximum mesh size is six inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? During fishing periods when fishery managers desire to conserve king salmon and harvest other species, a maximum mesh size of six and one-eighth inches would be allowed. This increase in maximum mesh size could increase the incidental catch rate of king salmon.

BACKGROUND: This proposal stems from a long-standing concern that the inherent variations in gillnet manufacture as well as stretching after use will put a fisherman using a net retailed as six-inch mesh in jeopardy of unwittingly violating the six-inch maximum mesh size regulation. Drift gillnet fisheries in Districts 6, 8, 11 and 15 harvest mixed species and stock complexes of salmon. Fisheries are managed on the predominant wild species present at the time and if conservation concerns exist for other species, mesh size restriction is a management tool to allow harvest opportunity of the targeted species while conserving other species of salmon. The six-inch maximum mesh size restriction was developed as a means to conserve larger king salmon when fisheries are directed at sockeye salmon, and the six-inch minimum mesh size restriction was developed to reduce harvest of sockeye salmon while harvesting hatchery-produced chum salmon. A fisherman with a six-inch mesh net could use the same net when either a maximum or minimum mesh size restriction was imposed. AWT issue very few citations for oversize gillnet gear. In the last five years, there have been two citations issued for using mesh size larger than six inches when a maximum mesh size restriction was in place in the waters of Southeast Alaska (AWT personal communication 9/3/2020).

DEPARTMENT COMMENTS: The department **OPPOSES** increasing the maximum mesh size restriction to six and one-eighth inches. The six-inch mesh size restriction is in place for conserving king salmon and increasing the maximum allowed mesh size could increase catch rates of king salmon. Increased incidental harvest of large, Southeast Alaska wild king salmon may result in more conservative drift gillnet openings directed at sockeye salmon. Although the proposal notes that six and one-eighth inches is not a standard mesh size, it can be special ordered and will be if fishermen believe it will provide them an economic advantage. The same concerns over manufacturing variations and stretching under use will remain with a six and one-eighth inch maximum mesh size.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 112 – 5AAC 33.331. Gillnet specifications and operations.

PROPOSED BY: United Southeast Alaska Gillnetters.

WHAT WOULD THE PROPOSAL DO? This would allow the department to open District 11 after SW 34 with drift gillnets no more than 90 meshes deep by EO.

WHAT ARE THE CURRENT REGULATIONS? In the Southeastern Alaska area, drift gillnets no more than 60 meshes deep are allowed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Drift gillnet fishermen in District 11 could utilize nets 50% deeper (from approximately 30 feet to 45 feet in depth) than existing regulations allow during directed coho salmon management, likely increasing the harvest rate of salmon harvested after mid-August.

BACKGROUND: The most recent annex of the PST implemented in 2019, contains specific harvest allocation arrangements between the U.S. and Canada for transboundary Taku River coho salmon for the first time. Previously, the U.S. obligation was to pass a minimum number of coho salmon above the U.S./Canada border. In 2018, an escapement goal range of 50,000 to 90,000 Taku River coho salmon was adopted with an MSY point goal of 70,000 fish. The adoption of an MSY point goal allows the total allowable catch (TAC) of transboundary Taku River coho salmon to be calculated annually based on terminal run size estimates. The PST allocates TAC of Taku River origin coho salmon between the two parties based on annual run strength.

The District 11 drift gillnet fishery is managed for coho salmon abundance beginning mid-August in SW 34. While Taku River coho salmon runs make up a significant portion of the fishery harvest, other notable contributions come from Douglas Island Pink and Chum, Inc (DIPAC) hatchery-origin coho salmon returning to release sites in Gastineau Channel, and several more minor runs of coho salmon returning to systems draining into Port Snettisham and Stephens Passage. Management of the District 11 coho salmon drift gillnet fishery is based on estimates of U.S. AC of Taku River coho salmon derived from inriver mark/recapture estimates, inriver department fishwheel and Canadian fishery performance, stock composition data from District 11 drift gillnet fishery coded wire tag recoveries, and District 11 fleet size and CPUE. In 2019, the U.S. was unable to harvest the U.S. AC of transboundary Taku River coho salmon while in 2020 there was no U.S. AC available due to a below-average run size.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal and **OPPOSES** the use of deeper nets throughout the district. Having the option to allow deeper nets by EO during times of abundant Taku River coho salmon runs would likely increase coho salmon catch rates and may improve the ability of the District 11 drift gillnet fleet to harvest the U.S. AC of transboundary Taku River coho salmon. However, District 11 is a mixed stock fishery and harvest would also increase on other coho salmon stocks, such as those returning to Port Snettisham for which CPUE data is the primary indicator of stock abundance. The department utilizes a combination of inriver estimates of Taku River coho salmon, and District 11 drift gillnet fishery CPUE and stock composition data to manage the District 11 fall coho salmon fishery. Drift gillnet CPUE performance data from those utilizing a 90-mesh deep net would not be comparable to previous year's data based on 60-mesh deep nets until a new baseline was developed.

In the regionwide coho salmon troll fishery, determination of potential closures and season extensions are outlined in 5 AAC 29.110 and includes assessment of CPUE of coho salmon in inside drift gillnet fisheries. The July assessment occurs too early in the season to look at inside

fisheries performance for migration indicators. The August assessment uses all-gear CPUE and total harvest data through SW 31, so use of deeper nets beginning in SW 34 in District 11 would not affect the August assessment. Increased CPUE from deeper nets in District 11 could complicate the use of gillnet CPUE data for the extension of the troll season decision, although by the time this decision is being considered the projection of inriver Taku River coho salmon abundance would have greater significance than the drift gillnet CPUE.

If the board were to adopt this proposal, the department would recommend restricting use of deeper nets to Taku Inlet (subdistrict 111-32) where Taku River origin and DIPAC hatchery-origin coho salmon are primarily harvested. However, this may create enforcement issues with boats moving between subdistricts within District 11.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 113 – 5 AAC 33.331. Gillnet specifications and operations.

PROPOSED BY: Steve Merritt.

WHAT WOULD THE PROPOSAL DO? Add a maximum mesh size restriction of between five and one-quarter inches to six inches (at the discretion of the board) in Districts 6, 8, and 11 as a conservation measure for king salmon during directed sockeye salmon drift gillnet fisheries.

WHAT ARE THE CURRENT REGULATIONS? In Districts 6, 8, 11 and 15 by EO, the department may restrict drift gillnet mesh size to a maximum six inch when there are conservation concerns for king salmon. The department may restrict mesh size to a minimum of six inches to conserve sockeye salmon while harvesting chum salmon. In Districts 8 and 11, in the event of a directed king salmon fishery on Stikine or Taku River king salmon in May and June a minimum mesh size of seven inches is required. Coordinated management of the transboundary Taku and Stikine rivers salmon stocks between the U.S. and Canada occurs under the auspices of the PST.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This could add an additional mesh restriction to Districts 6, 8, and 11 drift gillnet regulations to conserve king salmon during directed sockeye salmon fisheries. The proposal does not suggest a specific size restriction, leaving it up to the board to choose within a range of five and one-quarter inches and the existing six-inch maximum mesh size in current regulations. If adopted, this proposal could limit a fisherman's ability to harvest hatchery returns of chum salmon by being unable to utilize a mesh size efficient in harvesting chum salmon.

BACKGROUND: Mesh size restrictions have been employed in the Southeast Alaska drift gillnet fishery to reduce harvest on specific salmon species while allowing harvest of other species of salmon by relying on differences in average body size between species. In order to minimize the number of different nets a drift gillnet fisherman may need to participate in fisheries and to simplify regulations, the six-inch mesh size has been established as both a minimum and maximum mesh size restriction that may be invoked by EO for conservation of specific salmon species. When necessary for conservation of mature adult king salmon, a six-inch maximum mesh size restriction is commonly used around the state to reduce incidental harvest of large king salmon. A six-inch minimum mesh size restriction may be employed to improve the of harvest chum salmon while conserving sockeye salmon in mixed stock fisheries. A single mesh size for both minimum and maximum scenarios allows a drift gillnet fisherman to efficiently use the same net in both situations. In addition to mesh size restrictions for conservation of king salmon, area and time restrictions are employed during directed sockeye salmon fishing periods. When the directed sockeye salmon fisheries begin in Districts 6, 8, and 11, most of the Stikine and Taku rivers king salmon runs have passed through their respective drift gillnet fishery areas. The methods employed to minimize harvest of transboundary river king salmon have been proven effective as shown by genetic stock identification of king salmon harvested in Districts 8 and 11 (Table 113-1).

Estimates of abundance of transboundary salmon stocks originating in the Stikine and Taku rivers are utilized for management of the terminal drift gillnet fisheries in Districts 6, 8, and 11 under auspices of the PST. These estimates are results of joint U.S. and Canadian efforts, utilizing an array of data sets including U.S. fishery performance, inriver test and commercial fishery performance and mark/recapture projects. In treaty negotiations over king salmon harvest sharing,

it was acknowledged that some incidental harvest of king salmon would occur in the early part of the directed sockeye salmon fishery, and a base level catch (BLC) quantified this incidental harvest in the gillnet and sport fisheries of each country based on historical average. The intent of the BLC is to allow a directed sockeye salmon fishery to occur even if there is no AC of king salmon available under the harvest sharing provisions for king salmon. When king salmon runs are projected to be less than the escapement goal, a range of management tools are employed to minimize incidental king salmon harvest while still allowing harvest of sockeye salmon, including time and area restrictions as well as a mesh size restriction. If the projected king salmon run is within the escapement goal range but does not provide AC for directed fisheries, the BLC allows for a small incidental harvest of king salmon while fisheries are directed at sockeye salmon.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current mesh size specifications for Districts 6, 8, and 11 are effective for king salmon conservation when needed and reducing mesh size may unnecessarily restrict opportunity to harvest other stocks of salmon. Defining dates in regulation when the mesh size will be implemented reduces the department's ability to respond to conservation concerns and fully utilize harvestable surplus of salmon throughout the drift gillnet season in Districts 6, 8 and 11.

COST ANALYSIS: Approval of this proposal may result in a direct cost of an additional drift gillnet for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 113-1.—Drift gillnet harvests of large Stikine River king salmon in District 8 and large Taku River king salmon in District 11 during SWs 18 through 29, and escapement, 2010–2019.

Year	District 8 harvest	Stikine River escapement	District 11 harvest	Taku River escapement
2010	238	15,116	526	28,769
2011	970	14,482	518	19,672
2012	1,209*	22,327	668*	16,713
2013	455	16,783	356	18,002
2014	204	24,366	489	23,532
2015	379	21,597	292	23,567
2016	1,060*	10,554	159	9,177
2017	19	7,206	143	8,214
2018	5	8,344	31	7,271
2019	112	13,817	124	11,558
2010-2019 Avg	465	15,459	331	16,648

*Directed king salmon drift gillnet fisheries occurred.

PROPOSAL 114 – 5 AAC 29.120. Gear specifications and operations.

PROPOSED BY: William Dawley.

WHAT WOULD THE PROPOSAL DO? Allow the use of fishing rods in conjunction with downriggers by hand troll permit holders in the commercial salmon troll fishery.

WHAT ARE THE CURRENT REGULATIONS? In most waters of Southeast Alaska/Yakutat Area, vessels using hand troll gear are limited to the use of two hand-operated gurdies or four fishing rods. Regulations specify that during the winter season, a hand troll gurdy or downrigger powered by hand may be used in conjunction with a fishing rod; however, an aggregate of no more than two rods connected to two downriggers or hand troll gurdies may be used. A downrigger may not be used in conjunction with a fishing rod during spring or summer troll fisheries.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Allowing the use of hand-operated downriggers in spring and summer would likely increase efficiency for hand trollers opting to use fishing rods during those seasons. The use of fishing rods in conjunction with downriggers allows for greater control over desired depth of gear operation compared to using a rod and reel with a fixed inline weight. It is likely that with improved depth control and ease of gear operation versus hand troll gurdies, harvest could increase. In addition, the number of hand troll permits fished and consequently the total number of salmon harvested by hand trollers could increase, if inactive permits are put into operation due to this regulatory change, also increasing harvests. Conversely, the number of salmon harvested could decrease if permit holders operating gurdies with an unrestricted number of lures transitioned to the use of a downrigger/fishing rod combination with a single lure restriction.

BACKGROUND: In 2006 the board adopted regulations that allowed for the use of two fishing rods in conjunction with two downriggers for hand troll permits operating during the winter troll fishery only. Since the winter fishery differs in many aspects from spring and summer fisheries, adoption of these gear changes during that part of the year was of lesser concern. During the winter troll season, fishermen are subjected to adverse weather conditions, reducing the number of days fished. Winter trollers are confined to more restrictive winter fishery boundaries and participation is generally reduced to local residents, decreasing overall effort. Guided sport angler effort also decreases to a low level in winter, reducing enforcement concerns with sport client bag limits and personal use harvest reporting of commercial catch when vessels are dually registered for commercial hand troll and guided sport. It was the finding of the board that, because of these seasonal differences, operation of fishing rods in conjunction with downriggers would not significantly affect the hand troll harvest during winter, and consequently adopted the proposal for winter troll only.

Similar proposals were submitted in 2012, 2015, and 2018, with the board failing to adopt the modified hand troll gear language for reasons identified in 2006.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 115 – 5 AAC 29.070. General fishing seasons and periods.

PROPOSED BY: Alaska Trollers Association.

WHAT WOULD THE PROPOSAL DO? Modify the start date of the winter troll fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations specify the winter troll fishery period is open October 11 through April 30 or until the GHL is reached. However, notwithstanding any remaining portion of the GHL, under management provisions of the *Unuk River King Salmon Stock Status and Action Plan, 2018*, the winter fishery closes by EO on March 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The winter troll fishery would open with the beginning of SW 41, which varies by date from year to year; SWs begin on Sunday and end on Saturday. Fishing opportunities occurring prior to October 11 would represent additional fishing days compared to previous seasons with the October 11 regulatory start date. With additional fishing days, the number of king salmon harvested during winter would increase when compared to the 2018–2020 seasons, when the fishery was closed early under provisions of the action plan. Furthermore, additional fishing days prior to October 11 would increase the length of the SEAK early winter District 13 power troll fishery CPUE assessment period, potentially changing the CPUE metric and abundance index (AI) relationship that exists in the current 2019–2028 PST language.

BACKGROUND: Following a history of year-round trolling for king salmon in portions of the region, a separate season of October 1–April 14 was established for the winter troll fishery in 1981. In 1992, the start of the winter troll fishery was delayed until October 11 to reduce harvest and provide additional fish for the summer salmon troll season. These actions were based on the Chinook Salmon Troll Task Force recommendations that would accomplish the objectives set out by the board, which included a reduction in the number of king salmon non-retention days in the summer and the resultant incidental catch and release mortalities.

In 2018, action plans were adopted by the board that were necessary to help reduce encounters and conserve wild SEAK king salmon stocks through EO restrictions and additional commercial troll management measures during winter, spring, and summer troll fisheries. The majority of the wild SEAK king salmon harvest in the troll fishery occurs between mid-March and early July, and as a result, most management actions focused on restrictions during this time. Specifically, for the winter troll fishery, these restrictions reduced the season length by six weeks, closing the fishery on March 15, notwithstanding any remaining GHL.

Under terms of the 2019–2028 PST, a new method of determining the preseason SEAK all-gear king salmon allowable catch was implemented. The new method uses the cumulative CPUE from the early winter District 13 power troll fishery during October and November, SWs 41–48 to predict king salmon abundance for the following year. The CPUE metric is translated to a 7-tiered catch ceiling table, with each tier defined by a range of CPUEs, the corresponding AI levels for those CPUEs, and the allowable catch for each range of projected abundance (Table 115-1). The base period 2001–2015 used to calibrate the early winter CPUE to an AI had static fishery opening dates of October 11, as regulation has defined that opening date since 1992. The omission of PST

language specifying that opening date for the assessment period was an oversight. By modifying the beginning of the assessment period to begin SW 41 instead of October 11, the number of days the assessment period would increase over the base period would range from three to nine days annually (Figure 115-1).

DEPARTMENT COMMENTS: The department **OPPOSES** the concept of additional fishing days during the PST winter troll CPUE assessment period. Modifying the assessment period length could change the relationship between the CPUE metric and the corresponding AI that is currently provided in treaty language. Even a slight change to the final cumulative CPUE metric could result in a significant change to the annual all-gear catch limit. The department is **NEUTRAL** on the allocative aspects of this proposal that could increase harvest during the winter troll season.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 115-1.—The SEAK District 13 early winter power troll fishery CPUE-based tier, AI-based tier and midpoint, and the corresponding all-gear catch limit.

CPUE-based Tier	AI-based Tier	All-gear Catch Limit
Less than 2.0	Less than 0.875	Commission Determination
2.0 to less than 2.6	Between 0.875 and 1.0	111,833
2.6 to less than 3.8	Between 1.005 and 1.2	140,323
3.8 to less than 6.0	Between 1.205 and 1.5	205,165
6.0 to less than 8.7	Between 1.505 and 1.8	266,585
8.7 to less than 20.5	Between 1.805 and 2.2	334,465
20.5 and greater	Greater than 2.2	372,921

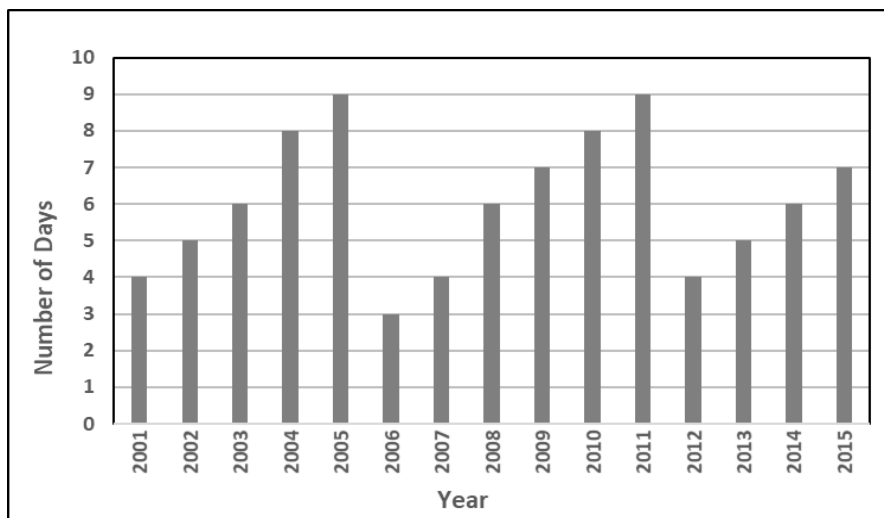


Figure 115-1.—Number of additional days in the winter power troll fishery CPUE assessment base period (2001–2015) that would result from a SW 41 opening date.

PROPOSAL 116 – 5 AAC 29.140. Size limits, possession, and landing requirements; 5 AAC 29.100. Management of the summer salmon troll fishery.

PROPOSED BY: Ralph Wells.

WHAT WOULD THE PROPOSAL DO? Require retention of king salmon caught during king salmon nonretention periods in the summer commercial troll fishery if they are deemed too injured to be released. Fish would be sold with the value of one dollar paid to the fisherman and the balance of proceeds from these fish paid to the State of Alaska.

WHAT ARE THE CURRENT REGULATIONS? Retention periods for king salmon during the SEAK summer troll fishery are opened and closed by regulation or EO. The first retention period is opened to target 70 percent of the summer troll king salmon allocation, with a second retention period opened to target any remaining portion of the summer allocation. King salmon taken and retained must measure at least 28 inches from tip of snout to tip of tail or 23 inches from the midpoint of the clethral arch to the tip of the tail. Undersized king salmon must be returned to the water unharmed.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? King salmon would be retained and sold outside the designated summer troll king salmon retention periods, if determined by the permit holder that the condition of the fish was too poor to survive a release, allowing allow all king salmon to be retained. The proposal did not specify whether minimum size limits were factored into mandatory king salmon retention requirements.

The retention of king salmon outside periods specified in the *Management of the summer salmon troll fishery* would reduce the harvest target and length of the traditional summer openings, as all non-Alaska hatchery-origin king salmon harvested during the nonretention periods would count towards the annual troll allocation.

The overall ex-vessel value of the troll king salmon fishery would decrease, as the dollar paid for king salmon retained and sold under provisions of this proposal would equate to a significant reduction in value compared to the full market price paid for the same fish sold during the second summer retention period.

BACKGROUND: Current regulations defining open fishing periods and proportional targets for the summer troll king salmon retention periods originated as part of the Troll Task Force Plan adopted by the board in 1994. The provisions of that plan, and the current regulatory framework of *Management of the summer salmon troll fishery*, were intended to help ensure a summer troll king salmon season of at least 10 days, reduce nonretention days, minimize incidental mortality, and maximize the value of the troll product.

Under terms of the 2019–2028 PST, all parties agreed to discuss any significant management changes that a party is considering that may alter the stock or age composition and incidental mortality of a fishery regime’s catch. Incidental mortalities in the SEAK troll fishery are estimated and accounted for annually. PST regulated allowable catches for SEAK fisheries account for these mortalities and are adjusted accordingly.

The 28-inch minimum length size limit has been in place for the commercial troll fishery since 1977. Length limit regulations have remained unchanged since then, largely over concerns for maintaining stable fishery regimes as required by the PST.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Allowing king salmon to be retained and sold for a dollar outside traditional summer troll fishery retention periods would reduce traditional fishery harvest targets, the length of the second summer troll opening, and overall value of the king salmon troll fishery, and would increase the harvest of SEAK wild king salmon. Additionally, having judgment variability in retention criteria is unenforceable. Furthermore, without specified size restrictions, harvest of king salmon of any size would destabilize the fishery regime and negatively affect the PST king salmon model that estimates coastwide king salmon abundance.

If this proposal is adopted, the provisions of the regulation would only be applicable between the end of the first summer king salmon retention period and start of the second retention period, as any remaining portion of the annual king salmon allocation would theoretically be harvested in the second fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 276 – 5 AAC XX.XXX New Section.

PROPOSED BY: Charlie Piercy.

WHAT WOULD THE PROPOSAL DO? The proposal would allow retention of king salmon for personal use in areas where the fishery is closed to retention if that area was open to retention of king salmon by the sport fishery.

WHAT ARE THE CURRENT REGULATIONS? King salmon 28 inches and greater may only be retained in commercial troll and purse seine fisheries during periods established by the department. King salmon may be retained for personal use during retention periods. In the purse seine fishery, king salmon less than 28 inches may be retained anytime for personal use. Retention of other salmon for personal use is allowed at all times. Salmon caught on a commercial vessel and retained for personal use must be documented on a fish ticket.

A person may sport fish from a registered commercial salmon hand troll or power troll vessel, however, they may not sport fish and commercial fish for salmon from the same vessel on the same day. A person who sport fishes from any vessel licensed for commercial salmon fishing shall, immediately upon bringing a salmon on board, mark the salmon by removing its dorsal fin. Sport fishing from a commercially licensed vessel while commercially caught salmon are in possession is illegal in waters closed to commercial salmon fishing. A person may possess sport caught salmon on board a commercial salmon vessel while that vessel is engaged in commercial salmon fishing only if the salmon is preserved at the time the vessel is engaged in commercial fishing. The definition of “preserved fish” excludes unfrozen fish temporarily stored in coolers that contain ice or dry ice or fish that are lightly salted.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The commercial harvest of king salmon would increase. Management of commercial fisheries may have to be adjusted to meet treaty obligations or for wild stock conservation concerns.

BACKGROUND: The department implements periods of retention or nonretention in both the commercial troll and purse seine fisheries to stay within treaty allocations of king salmon and for conservation of Southeast Alaska wild king salmon stocks. There are typically two retention periods during the summer troll fishery that last from 5 to 10 days for the first period and have lasted longer than 30 days for the second retention period. During the first summer troll retention period beginning July 1 the department has implemented areas of nonretention for local wild stock concerns (i.e., District 8 for Stikine River king salmon).

Generally, most of the purse seine fishery season is in nonretention of king salmon. Retention is allowed after most wild Southeast Alaska king salmon stocks have transited through marine waters and during times when pink salmon are abundant. Retention periods usually occur in late July and early August and typically are one to four openings in duration.

Commercial fishermen retain commercially harvested salmon for personal use on regular basis. Retained salmon may be used for consumption on the vessel, homepack, or for bait in other fisheries. The 2016–20 average commercial harvest retained for personal use includes 1,500 king, 3,200 sockeye, 3,600 coho, 15,800 pink, 1,400 chum salmon, and 275 steelhead.

DEPARTMENT COMMENTS: The department is **OPPOSED** to allowing retention of king salmon for personal use during periods of nonretention. King salmon harvest would increase, increasing the complexity of management of the commercial troll and purse seine fisheries.

Nonretention would be difficult to enforce. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 117 – 5 AAC 29.120. Gear specifications and operations; 5 AAC 29.112. Management of chum salmon troll fishery.

PROPOSED BY: Jeff Farvour.

WHAT WOULD THE PROPOSAL DO? Allow the use of two additional fishing lines in the commercial salmon troll fishery during the months of August and September in select areas designated under the hatchery chum salmon troll fishery management plan.

WHAT ARE THE CURRENT REGULATIONS? A power troll vessel may operate up to four power gurdies and a hand troll vessel may operate up to two hand operated gurdies, except that in the waters of the EEZ north of the latitude of the southernmost tip of Cape Spencer, a power troll vessel may operate up to six troll gurdies and hand troll vessel may operate up to four. In lieu of hand powered troll gurdies, the operator of a hand troll vessel may instead use up to four fishing rods.

The chum salmon troll fishery management plan provides an opportunity for trollers to target hatchery chum salmon during the summer coho salmon fishery closure in defined waters of Sitka Sound, Neets Bay, and Crawfish and West Crawfish Inlets. Under this plan, the retention of coho and Chinook salmon is prohibited as the troll fishery is closed for these species during the period these chum salmon fisheries are opened.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? An increase of two lines for trollers would allow for the use of a maximum of six power gurdies for power troll vessels and four hand operated gurdies or six fishing rods for hand troll vessels in the directed chum salmon fishery. The addition of two lines for troll vessels would increase efficiency and harvest of chum salmon in portions of Sitka Sound/Eastern Channel and Crawfish and West Crawfish Inlets. Adoption of this proposal could assist in getting the troll fishery closer to their hatchery salmon allocation percentage as outlined in 5 AAC 33.364 (Figure 92-1).

The chum salmon troll fishery management plan is in effect only during the summer coho salmon closure, which typically occurs in early August for a period of two to 10 days. This proposal as presented would liberalize gear allowances only in select areas during the months of August and September. The Neets Bay fishery, as described in the plan, would remain unaffected by this proposal, and would continue to be opened by EO during the coho salmon troll fishery closure only.

BACKGROUND: Concurrent with statehood in 1959, Alaska trollers were limited to four fishing lines. In 1979, the board adopted a troll fishery gear revision that allowed the operation of up to six power troll lines in the EEZ north of the latitude of Cape Spencer and east of the longitude of Cape Suckling. The board recognized that vessels fishing this area were disadvantaged due to longer travel times and adverse weather and they incurred greater costs to access the area. In approving the increase in allowable gear, the board determined that this fleet may need to operate with greater efficiency than those vessels fishing south of the latitude of Cape Spencer. The board took comparable action in 2009 and increased the allowable gear for hand troll permit holders fishing this area to four hand operated gurdies.

The *Southeastern Alaska Area Enhanced Salmon Allocation Management Plan* (5 AAC 33.364) is structured to provide a fair and reasonable distribution of hatchery salmon harvest among the commercial seine, troll, and drift gillnet fisheries, and to reduce conflicts among these users. The allocation range for the troll fishery is 27–32 percent of the harvest. Harvest data for hatchery salmon indicate the troll fishery has generally been well below their allocation range since the board adopted the allocation plan in 1994 (Figure 92-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspect of this proposal, as it would likely increase troll harvest of chum salmon and the proportion of fish harvested by troll gear.

The department has opposed the concept of modifying gear specification and operation for troll vessels targeting coho salmon in other proposals due to historical CPUE data conflicts but does not maintain these same concerns for a fishery targeting hatchery-produced chum salmon. The department does support efforts that contribute to a thorough and efficient harvest of the hatchery-produced chum salmon runs.

If this proposal is adopted, the department would recommend regulatory language that expands on the provisions of the chum salmon troll management plan to establish a date restriction of August 1 through September 20 for the liberalization of gear in Sitka Sound/Eastern Channel and Crawfish and West Crawfish Inlets. Expanding on the current chum salmon management plan would also prohibit retention and possession of coho and king salmon when vessels are engaged in directed chum salmon fishing and deploying additional lines. This restriction would not impede the goal of increasing chum salmon harvest; however, it would guide the intent of the proposal that extra lines are targeting chum salmon. This restriction would also keep gear allowances consistent so that trollers wanting to target coho or king salmon in these areas may continue to do so if additional lines are not deployed.

Adoption of this proposal could present some enforcement concerns for the Alaska Wildlife Troopers as coho and king salmon retention may be prohibited on a vessel fishing extra lines but permitted on an adjacent troller fishing under regional gear specification and operations. Additional vessel marking requirements may alleviate this concern.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 118 – 5 AAC 33.200. Fishing districts and sections.

PROPOSED BY: Ed Tagaban.

WHAT WOULD THE PROPOSAL DO? The Districts 6 and 8 boundary in Sumner Strait would be moved approximately three-quarters of a mile westward (Figure 118-1).

WHAT ARE THE CURRENT REGULATIONS? Districts 6 and 8 are both drift gillnet fishing areas. The District 6 and 8 boundary line is designated as a line between Point Alexander and Low Point.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The net result would add area to District 8 and reduce the District 6 area by the same amount. This area would provide access to a shore drift for the gillnet fleet during commercial gillnet openings in District 8. As a result, District 8 harvest may increase and District 6 harvest may decrease. There would be less area to fish when District 6 is open and District 8 is closed for both the drift gillnet and troll fisheries.

BACKGROUND: The District 6 and 8 boundary has been in place since 1962. This small area of District 6 has been adjusted up to several times a season using EO authority during District 8 drift gillnet midweek openings. This adjustment allowed a small area of District 6 on the Zarembo Island shoreline to open when District 8 was open and the rest of District 6 was closed. The area was intended to provide additional opportunity to harvest sockeye salmon returning to the Stikine River during larger runs.

The section that fishermen gain access to when the department expands this area by EO is known as a “sockeye drift” by fishermen. Current regulations place the line in a position where bottom structure prevents fishermen from setting nets close to the shore where sockeye salmon travel. Most of the sockeye salmon caught here are of Stikine River origin and are co-managed with Canada under auspices of the PST. Opening the area by EO is usually done in cases of large Stikine sockeye salmon runs where increasing harvest rates of sockeye salmon is justified. A primary management tool for the fishery is CPUE comparisons based on historic catches in District 8 to gauge the size of the Stikine River sockeye salmon run inseason. By making this permanent instead of discretionary, the historic data may no longer be relevant and would alter its utility as a management tool, and potentially lead to management error.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal but **OPPOSES** this proposal due to resultant change in CPUE the department uses to manage the fishery and the reduction in management flexibility that would result from adopting this proposal into regulation. During regular weekly openings, there would be an increase in harvest and a corresponding change in CPUE that the department uses to assess sockeye salmon abundance inseason. The department has used EO authority to provide this additional area during midweek openings to increase harvest during larger Stikine River sockeye salmon runs and would continue to do so. Adjusting long standing district lines will have effects on other fisheries that use the same boundary lines.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

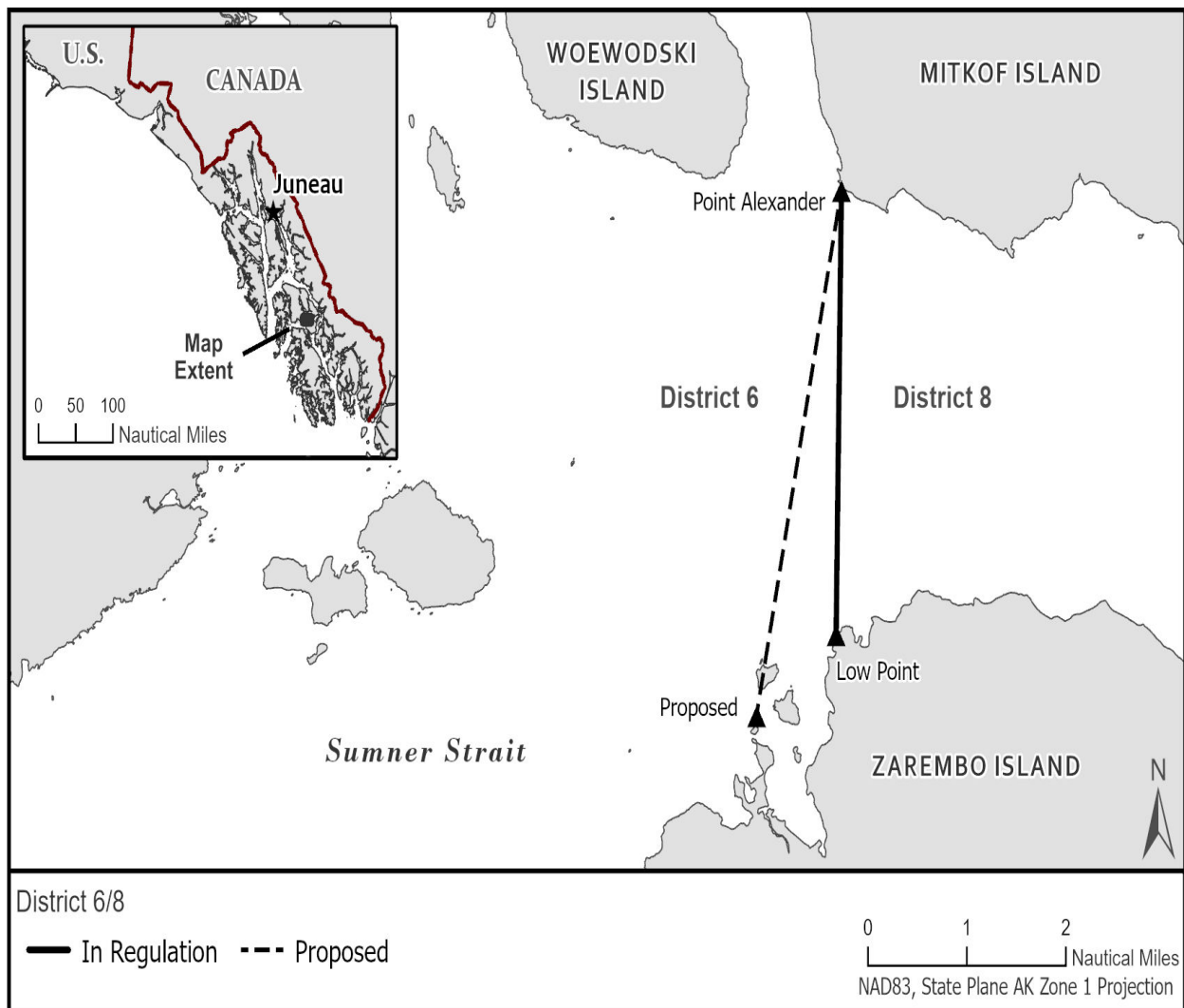


Figure 118-1.—Proposed District 6 and 8 boundary change.

PROPOSALS 119 – 5 AAC 33.200. Fishing districts and sections; 5 AAC 33.310. Fishing seasons and periods for net gear; 5 AAC 33.359. Section 6-D Pink Salmon Management Plan.

PROPOSED BY: Leonard Leach and Doug Rhodes.

WHAT WOULD THE PROPOSAL DO? Section 6-D would be split into two sections and District 6 sections would be redefined. Regulations concerning the redefined and new sections in the drift gillnet fishery would be adjusted accordingly. The Section 6-D pink salmon management plan would have elements that sunset in 2018 be reinstated, allowing the gillnet fleet access to Section 6-D when the seine fishery also opened in this area.

WHAT ARE THE CURRENT REGULATIONS? There are four sections defined within District 6, each designated as drift gillnet only, purse seine only, or purse seine and drift gillnet fishing areas. Sections 6-A and 6-B are drift gillnet only areas, Section 6-C is a purse seine and drift gillnet area, and portions of Section 6-D are purse seine only with the remainder being a purse seine and drift gillnet area. From the first Saturday in August to the first Sunday in September, the entirety of Section 6-D is a purse seine only area (Figure 119-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Section 6-D would be redefined and a new section created—Section 6-E (Figure 119-2). The drift gillnet fishery would receive additional fishing area after the first Saturday in August and before the first Sunday in September during weeks when purse seine fishing occurs in the newly defined Section 6-D. Redefining Section 6-D could provide clarity in regulations. Providing additional fishing area during the month of August could increase the overall pink salmon harvest in District 6. An additional layer of regulation would be added and could make it more difficult to determine areas open to fishing.

BACKGROUND: Districts in Southeast Alaska were first implemented for the 1963 season and are similar to districts currently in use. Sections were also established in 1963, but in many cases, are different from sections currently in use. Since 1963, District 6 has been split into drift gillnet and purse seine areas. Waters of current-day sections 6-A and 6-B are traditionally drift gillnet only. Waters of current-day Section 6-C were drift gillnet only from 1963 through 1968. In 1969 Section 6-C was open to purse seining and has remained open to both purse seining and drift gillnetting. The waters of present-day Section 6-D were purse seine only from 1963 through 1983. During the 1984 board meeting, the current regulation was implemented allowing a portion of Section 6-D, commonly referred to as Screen Island, to open for drift gillnetting prior to the first Saturday in August and from the first Sunday in September to the end of the season.

Purse seining can be opened any time in the waters of sections 6-C and 6-D making these waters the only areas in Southeast Alaska that can be open concurrently to both purse seining and drift gillnetting. Purse seine openings are based on observed run strengths to local streams, parent year escapement, harvest of pink salmon in the drift gillnet fishery, and returns of pink salmon in July to systems in nearby districts. If these indicators do not warrant an opening of the seine fishery, openings in the drift gillnet fishery are typically limited to two days per week until the directed coho salmon fishery begins. Occasionally, on large pink salmon runs, purse seining can begin before the first Saturday in August and/or be open after the first Sunday in September in the Screen Island portion of Section 6-D.

The Section 6-D pink salmon management plan was adopted at the 2015 board meeting and sunset after the 2017 season. The management plan allowed drift gillnetting when purse seine openings occurred in the Screen Island portion of Section 6-D from the first Sunday in August through the first Saturday in September and was structured so as to prevent both gear groups from being permitted to fish in the same area concurrently to minimize the potential for conflict. Due to the strength of pink salmon runs in the District 6 from 2015 through 2017, purse seine openings did not occur in this area, therefore the management plan was not enacted.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal and **SUPPORTS** language that would help clarify complex regulations. The potential increase of pink salmon harvested by the gillnet fleet fishing in the Screen Island area is not expected to be large enough to affect the management of either fishery when pink salmon runs are large enough to warrant the opening of the purse seine fishery in this area.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

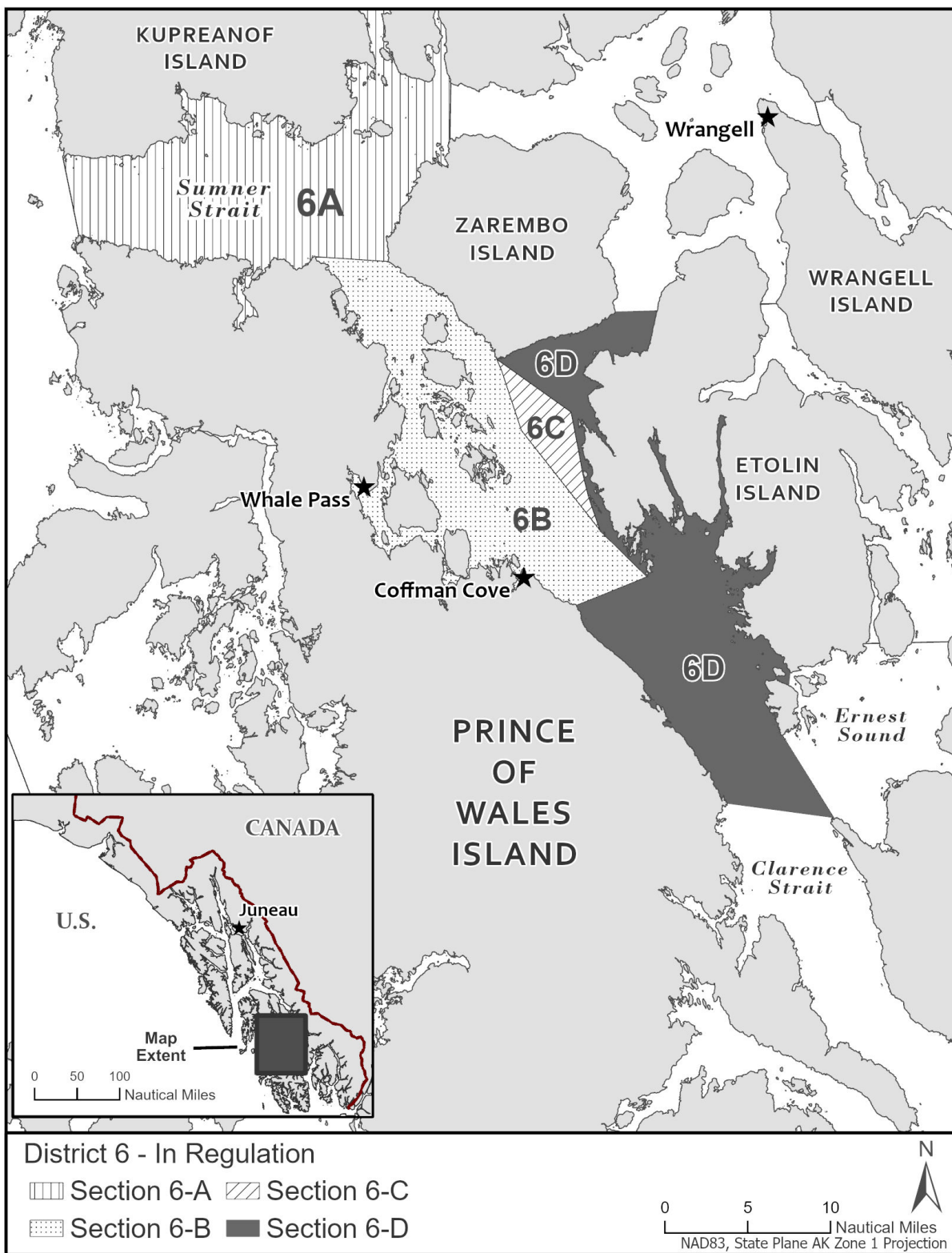


Figure 119-1.—District 6 sections.

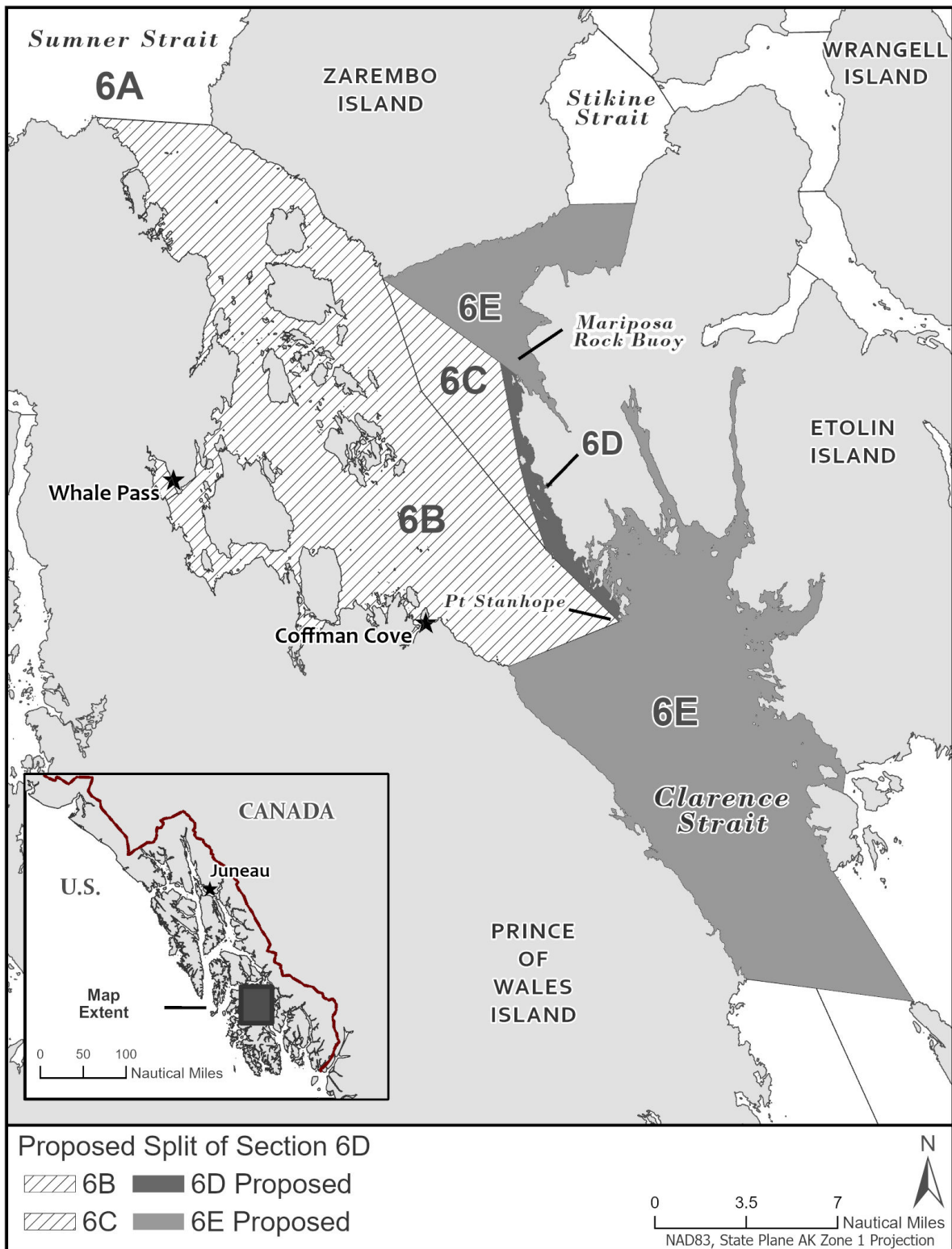


Figure 119-2.—Proposed District 6 new sections.

PROPOSAL 120 – 5 AAC 33.200. Fishing districts and sections; 5 AAC 33.310. Fishing seasons and periods with net gear; 5 AAC 33.359 Section 6-D Pink Salmon Management Plan.

PROPOSED BY: Leonard Leach and Doug Rhodes.

WHAT WOULD THE PROPOSAL DO? This is a companion to Proposal 119. If Proposal 119 is adopted, as written Proposal 120 would open the newly defined Section 6-E when all, but the newly defined Section 6-D is open to the drift gillnet fishery. The newly defined Section 6-D openings would still be tied to purse seine openings in the area (Figure 119-2).

WHAT ARE THE CURRENT REGULATIONS? There are four sections defined within District 6, each designated as drift gillnet, purse seine, or purse seine and drift gillnet fishing areas. Sections 6-A and 6-B are drift gillnet only areas, Section 6-C is a purse seine and drift gillnet area, and portions of Section 6-D are purse seine only with the remainder a purse seine and drift gillnet area. From the first Saturday in August to the first Sunday in September, the entirety of Section 6-D is a purse seine only area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The area open to the drift gillnet fishery during pink salmon management would substantially increase. Pink salmon harvest would increase and fishing time would likely decrease.

BACKGROUND: See background for Proposal 119.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal as written. The department would have concerns of increased area resulting in increased pink salmon harvest, especially during periods of low pink salmon abundance. The department uses CPUE from the drift gillnet fishery to assess salmon abundance. Increasing traditional fishing area would change catch rates making comparisons to historical catch rates difficult. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 121 – 5 AAC 33.350. Closed waters.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Waters near and within Coffman Cove, including Lake Bay, would close to commercial drift gillnet salmon fishing (Figure 121-1).

WHAT ARE THE CURRENT REGULATIONS? There are no regulatory closed waters within Coffman Cove or the immediate vicinity; Lake Bay, Barnes Lake, and Whale Pass are closed to commercial fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Areas open to the commercial drift gillnet fishery would be reduced and subsequently harvest may be reduced. Sheltered zones for the drift gillnet fleet to fish during inclement weather events would be reduced or eliminated. Reduction in interactions between drift gillnetters and other vessels, particularly unguided nonresident sport fishermen, may be reduced in these areas and could increase in other areas of more open water farther from shorelines. The amount of area proposed for closure is large and can be a productive commercial gillnetting area. Closing this area could reduce harvest and affect the CPUE data the department uses to manage the drift gillnet fishery.

BACKGROUND: The commercial drift gillnet fishing season can run from early June to mid-October depending on salmon abundance and openings can last from two to four days a week. Most of the salmon harvest in this area of District 6 occurs in waters near the Prince of Wales Island shoreline from Luck Point to the northern entrance of Whale Pass, but not generally within Coffman Cove because of space and water depth limitations. However, gillnetters routinely fish within the immediate vicinity of Coffman Cove since sockeye and pink salmon fishing tends to be better closer to shore. Additionally, the proposed closed area includes Lake Bay which is an area drift gillnetters have traditionally fished. The department conducts vessel surveys of the gillnet fishery in June and July and has not observed an increase in drift gillnet effort near Coffman Cove.

Drift gillnets can be 300 fathoms (1,800 feet) long and 60 meshes (~30 feet) deep. Nets are usually fished perpendicular to the shore with large buoys marking the ends. In rough water cork lines can be difficult to see. While buoys are generally very visible, with 1,800 feet between them it can be challenging to determine the direction a net lays especially for novice mariners unfamiliar with the area and given the low vantage angle of a skiff. Gillnetters actively monitor their nets when deployed and keep a close lookout for oncoming traffic, partly for safety reasons and to avoid damage to expensive fishing gear. If needed they will actively try to warn off unwary vessels, usually via VHF or other means of signaling.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department supports safe navigation and believes educating nonlocal or nonresident users on ways to recognize and avoid drift gillnets would be a better alternative than large area closures.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

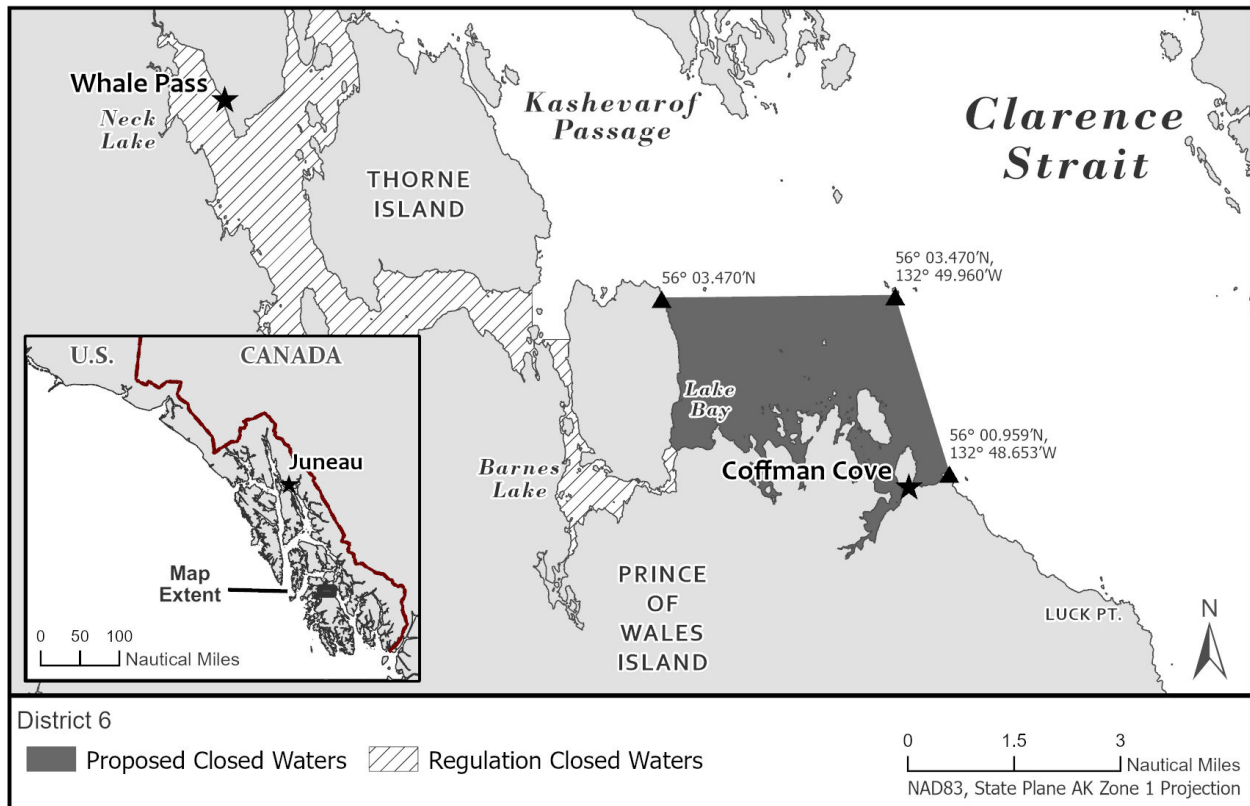


Figure 121-1.—Proposed Coffman Cove closed waters.

PROPOSALS 122, 123, 124 – 5 AAC 33.366. Northern Southeast seine salmon fishery management plans.

PROPOSED BY: Alaska Native Inter-Tribal Association of Seiners, Southeast Alaska Seiners Association, and United Southeast Alaska Gillnetters.

WHAT WOULD THE PROPOSALS DO? These proposals all seek to remove the “through the 2020 season” sunset clause regarding the 15,000 sockeye salmon harvest limit for purse seine fisheries in the waters of District 12 north of Point Marsden during July. In addition, Proposal 123 seeks to reduce the time the sockeye salmon harvest limit is implemented, and Proposal 124 seeks to extend the time the sockeye salmon harvest limit is implemented to its original length.

WHAT ARE THE CURRENT REGULATIONS? Through the 2020 season, in the waters of District 12 north of Point Marsden a harvest limit of 15,000 wild sockeye salmon may be taken in the purse seine fishery through July 22. Once this limit is reached, no further openings on this shoreline are allowed until after July 22. As written, this regulation expired after the 2020 season. This portion of the regulatory management plan also includes that hatchery-produced sockeye salmon do not count against the harvest limit, and outlines procedures used to estimate the sockeye salmon harvest in the area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The purse seine fishery in District 12 north of Point Marsden would continue to have a sockeye salmon harvest limit described in regulation applying through July 22, providing guidance to fishery managers making allocative decisions in this highly contentious fishery. If Proposal 123 were adopted, in addition to removing the 2020 sunset clause, the dates in which the wild sockeye salmon harvest limit applies would be reduced from July 1–22, to July 1–15. If Proposal 124 were adopted, in addition to removing the 2020 sunset clause, the dates in which the wild sockeye salmon harvest limit applies would be extended from July 1–22, to July 1–31.

BACKGROUND: The northwestern shoreline of Admiralty Island between Point Marsden and Funter Bay is known as the Hawk Inlet shoreline. A portion of all stocks of salmon returning to their natal streams in Lynn Canal, Stephens Passage, Seymour Canal, Frederick Sound, Chatham Strait, and Peril Strait pass through this area after they have entered the inside waters from the Gulf of Alaska through Icy Strait. The Hawk Inlet shoreline was not fished between 1973 and 1978 due to poor pink salmon returns. The return of seine gear to the shoreline in 1979 raised allocation concerns from drift gillnet fishermen in Lynn Canal and Stephens Passage and the area was closed during July by regulation in 1984. In 1989, the board adopted 5 AAC 33.366 *Northern Southeast seine salmon fishery management plans* into regulation, reopening the Hawk Inlet shoreline to purse seining in July to improve utilization of Lynn Canal and Taku River origin pink salmon. Under this regulation, openings are dependent on the abundance of early run pink salmon and the conservation of all stocks, in conjunction with a maximum harvest of 15,000 sockeye salmon during the month of July. These management plans were amended in 2003 to clarify the procedure used to account for the sockeye salmon harvest limit, and in 2006, to include only wild sockeye salmon in the 15,000 fish July harvest limit in response to the increasing enhanced sockeye salmon returns to the DIPAC Snettisham Hatchery. In 2015, new language was added concerning south-bound upper Chatham Strait sockeye salmon stocks important to subsistence fisheries, and sockeye salmon harvested in the common property purse seine fisheries in the Amalga Harbor SHA were

included in the harvest limit. Amalga Harbor SHA common property fisheries were established in 2012 targeting enhanced chum salmon surplus to DIPAC cost recovery needs. In 2018, the board removed the Amalga Harbor SHA incidental sockeye salmon harvest from the harvest limit and reduced the time the 15,000 fish harvest limit applied to from the entire month of July to July 1–22.

The main point of contention over purse seine fisheries on the Hawk Inlet shoreline concerns the incidental harvest of sockeye salmon in these directed pink salmon fisheries. The main north-bound sockeye salmon stocks are Chilkat and Chilkoot lakes in District 15, and Taku River and Port Snettisham in District 11. South-bound sockeye salmon stocks encountered in this area include Kook, Sitkoh, and Kanalku lakes, and the Hasselborg River, all important to subsistence needs for nearby communities. When there is an identified surplus of pink salmon available for harvest in this area, other sockeye salmon user groups express concern over the extent and duration of directed pink salmon purse seine openings along the Hawk Inlet shoreline and the impact these fisheries will have on downstream commercial and subsistence sockeye salmon fisheries. The harvest limit on wild sockeye salmon during July provides allocation guidance to commercial fishery managers when considering openings in this contentious mixed stock area. The intention of the 2020 sunset clause in the most recent iteration of this regulation was to see how fisheries performed within the new time period for the sockeye limit in regulation and to address it again during the regular 2021 board meeting cycle.

Since 1989, purse seine fisheries on the Hawk Inlet shoreline have been opened in 16 of 32 seasons with annual harvests averaging 10,600 wild sockeye salmon, 741,000 pink salmon, and 64,000 chum salmon. Since 2018, only two limited purse seine openings on this shoreline have occurred.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of these proposals including reducing or extending the time during which the sockeye salmon harvest limit applies. Since 2018 when the harvest limit time reduction began, pink salmon abundance to the surrounding area has not been surplus to escapement needs.

The department **SUPPORTS** removing the sunset clause from this regulation in order to retain the harvest limit dates, its application only to wild sockeye salmon, and the procedures utilized to estimate the wild sockeye salmon harvest in this area. These regulations have been developed over numerous meeting cycles to provide fishery managers direction in allocating the burden of conservation and harvest opportunity for sockeye salmon in this contentious mixed stock fishery area.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

**COMMITTEE OF THE WHOLE – GROUP 4: SOUTHEAST AREA AND
YAKUTAT AREA SUBSISTENCE, PERSONAL USE, AND SPORT SALMON
AND OTHER NON-GROUNDFISH FINFISH (31 proposals – Chair TBD)**

Subsistence /Personal Use/Sport (31 Proposals)

Southeast Area and Yakutat Area Subsistence

PROPOSAL 125 – 5 AAC 01.730. Subsistence fishing permits.

PROPOSED BY: Southeast Alaska Subsistence Regional Advisory Council.

WHAT WOULD THE PROPOSAL DO? As written this proposal would clarify regulatory language for the incidental take of king and coho salmon while subsistence salmon fishing. However, the proponent explained that their intent is to allow the department to issue permits for subsistence harvest of king salmon.

WHAT ARE THE CURRENT REGULATIONS? The board has determined there are customary and traditional uses of salmon in many areas of Southeast Alaska. Permits are required for subsistence salmon fishing. In Southeast, the department may not issue a subsistence permit for the taking of wild king salmon but incidental harvest while fishing for other species is allowed with a possession limit of two king salmon. Personal use fisheries may be conducted on hatchery-produced king salmon in THAs and SHAs with possession limits varying by hatchery management plan. Participation in subsistence fisheries is limited to Alaska residents in areas where the board has established C&T findings for salmon. C&T findings in Southeast Alaska are generally for all salmon species and not species specific.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department would have the ability to provide for directed king salmon subsistence fisheries. If new fisheries were opened, participation and harvests of king salmon in these systems may increase. The number of participants that could fish in directed subsistence fisheries for king salmon may increase because federal participation is limited to federally qualified harvesters whereas participation in state managed subsistence fisheries is open to all Alaska residents. It is unlikely that the addition of directed subsistence fisheries would result in meeting amounts reasonably necessary for subsistence (ANS) in those areas where ANS is currently not being met. Resource, management, and enforcement issues would vary depending on the harvest limits, seasons, and areas open to fishing. Currently, king salmon abundance is low and a large portion of the king salmon stocks in Southeast are being considered for Stock of Management Concern status. Additionally, creating new king salmon fisheries would have implications regarding the Pacific Salmon Treaty. If this proposal were adopted, the areas in which the department could open directed subsistence fisheries for king salmon include the Chilkat River in District 15, the Stikine River in District 8 and areas in Districts 7 and District 10 with smaller populations if there are no conservation concerns. The Taku River stock in District 11 and the Behm Canal stocks (Unuk, Chickamin, Blossom, and Keta rivers) in District 1 are in the Juneau and Ketchikan nonsubsistence areas.

BACKGROUND: There is a long history of subsistence uses of king salmon in Southeast Alaska. King salmon are an important component of salmon harvests for home use in most Southeast communities; based on household harvest surveys (excluding the communities of Juneau and

Ketchikan), a small percent of the king salmon harvest is done under subsistence and personal use regulations. About a quarter of the king salmon harvest for noncommercial uses is derived from commercial harvests claimed as personal use, while the majority is taken under sport fishing regulations. Table 125-1 shows the Southeast king salmon harvest for subsistence, sport, and personal use harvested by Alaska residents in the various fisheries. Under federal regulations, king salmon are primarily harvested in the Stikine River, where there is a directed subsistence fishery, along with minor harvest of king salmon elsewhere in the region. The regulation prohibiting issuance of permits for subsistence king salmon fishing predates the passage of AS 16.05.258 and the board determination that there are customary and traditional uses of salmon in Southeast waters. A small incidental take (possession limit of 2) of king salmon is allowed in state subsistence and personal use fisheries to prevent waste if king salmon are incidentally harvested while targeting other salmon species.

Details of king salmon harvest in relation to the Pacific Salmon Treaty can be found in the background section of Proposal 80.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Opportunity for harvest of king salmon for subsistence uses is provided under current regulations. ANS estimates for salmon in Southeast Alaska are for all salmon and are not species specific and the board has previously determined that current regulations provide a reasonable opportunity to harvest salmon for subsistence uses.

Southeast Alaska king salmon stocks are currently at low abundance levels and several stocks of concern exist. The department has concerns if actions are taken to reduce flexibility to achieve escapement goals of Alaska stocks during times of low abundance. Changes to king salmon harvest opportunity should be addressed as part of action plans where stocks of concern exist. If the board chooses to lift restrictions to provide directed subsistence king salmon fisheries, the department recommends adopting possession limits. The federal possession limit for king salmon is 5 fish annually for the Stikine River and no limit in all other systems of Southeast Alaska; however, limits can and have been imposed as conditions of the permit.

Finally, creating new king salmon fisheries would have implications regarding the Pacific Salmon Treaty. In reference to additional fisheries targeting king salmon, changes to the current allocation of Alaska's all-gear harvest limit among user groups would need to be discussed within the Pacific Salmon Commission and demonstrated not to significantly change the stock or age composition and incidental mortality of the all-gear harvest.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? Several king salmon stocks are in the Ketchikan and Juneau nonsubsistence areas.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has made several positive C&T findings for salmon throughout the Southeastern Alaska Area, however those findings are not species specific.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes. King salmon are managed under the PST and Situk River has an escapement goal for king salmon.

4. What amount is reasonably necessary for subsistence uses? ANS has been determined as follows: in Districts 1 – 4, 9,068 – 17,503 salmon; in Districts 5 – 8, District 10, and Section 9-B, 4,120 – 7,345 salmon; in Section 9-A and District 13, 10,487 – 20,225 salmon; in District 12, 1,100 – 1,700 salmon, in District 14, 600 – 1,500 salmon; in District 15, 7,174 – 10,414 salmon.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 125-1.–Southeast Alaska king salmon harvest by Alaska residents, 2010–2020.

Year	Resident Sport Harvest	Resident Commercial Harvest Retained for Personal Use	Personal ^a Use Harvest	Incidental ^a Personal Use/ Subsistence Harvest	Federal Permit Harvest	Total
2010	28,626	—	237	629	61	29,553
2011	24,074	7	322	70	86	24,559
2012	13,953	52	341	23	76	14,445
2013	26,382	69	242	7	101	26,801
2014	30,228	393	238	26	86	30,971
2015	23,858	456	80	6	76	24,476
2016	20,901	1,056	80	18	59	22,114
2017	16,573	640	51	30	60	17,354
2018	10,280	928	112	11	98	11,429
2019	11,471	1,995	105	77	72	13,720
2020 ^b	13,846	3,099	—	—	104	17,049
2010–19 Avg	20,017	870	181	90	80	21,134

^aHarvest is reported harvest from subsistence/personal use permits.

^b2020 data are preliminary or currently unavailable.

PROPOSALS 126 and 127 – 5 AAC 01.670. Lawful gear and gear specifications.

PROPOSED BY: Yak-Tat Kwann, Inc. and Yakutat Tlingit Tribe.

WHAT WOULD THESE PROPOSALS DO? Subsistence salmon permit holders would no longer be required to attend their set gillnet at all times while fishing in Yakutat Bay in April and May.

WHAT ARE THE CURRENT REGULATIONS? In Yakutat Bay, set gillnets used for subsistence salmon fishing may not exceed 50 fathoms in length and must always be attended during April and May. The Situk-Ahrnklin Inlet is the only other subsistence fishery in the Yakutat Area that has net tending requirements for nets to be attended at all times. There are no daily or annual subsistence salmon harvest limits for any waters in the Yakutat Management Area. Subsistence salmon fishing may occur any time in Yakutat Bay prior to the first commercial set gillnet fishery on the second Sunday in June. Once the commercial salmon net season opens, a subsistence user may only take salmon from 6:00 a.m. Friday to 6:00 p.m. Saturday.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Unattended nets left for an undetermined amount of time could increase overall harvest since salmon caught in the nets may be lost from depredation by marine mammals or drop out. If left unattended for too long, fish could spoil leading to potential wanton waste. Subsistence fishermen could save time and money and opportunity may increase by not having to tend nets.

BACKGROUND: Yakutat Bay includes waters east and north of a line from the southernmost point of Ocean Cape to Point Manby. Mixed stocks of salmon are harvested in the subsistence, commercial, and sport fisheries of Yakutat Bay. Subsistence nets in Yakutat Bay primarily target king salmon in April and May, but king salmon harvest continues through July. At the January 2018 board meeting, a proposal by the Yakutat Fish and Game Advisory Committee was submitted to require that subsistence users attend their nets April through July. The board supported this proposal citing king salmon conservation concerns but modified the time frame for net attendance to April and May. Before the implementation of this regulation the prior five-year average (2013–2017) subsistence harvest for April and May was approximately 220 king salmon from an average of 25 permits. The April and May king salmon harvest during 2013–2017 accounted for approximately 60% of the total king salmon harvest in Yakutat Bay. After the implementation of this regulation, the 2018–2020 average subsistence harvest for April and May was approximately 39 king salmon and the average number of permits fished was 7. The contribution to the Yakutat Bay annual harvest for April and May dropped to 24% for 2018–2019 (2020 annual harvest and effort not yet available) and effort declined by 40%. However, over the last three years the coastwide abundance of king salmon was much lower than the 2013–2017 time period. King salmon samples collected from sport, troll, and set gillnet fisheries indicate that king salmon harvested in Yakutat Bay are comprised mostly of king salmon heading to systems outside the Yakutat area. In June and July of 2019, the commercial set gillnet fishery in Yakutat Bay was sampled and it was found that roughly 10% of the harvest was Situk River origin king salmon and 14% Alsek River origin king salmon.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these proposals. Unattended set gillnets in this fishery could lead to salmon waste through loss to marine predators and dropouts

and the overall mortality king salmon would increase. However, subsistence fishermen could save time and money (the third subsistence criterion under 5 AAC 99.010) and opportunity may increase by not having to tend nets. Predation on subsistence salmon nets by seals and sea lions in the Yakutat Bay fishery is a long-standing local and department concern.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has made a positive C&T finding for salmon in fresh water upstream from the terminus of streams and rivers of the Yakutat Area from the Doame River to the Tsiu River, in waters of Yakutat Bay and Russell Fjord inside a line from the westernmost point of Point Manby to the southernmost point of Ocean Cape, and in waters of Icy Bay inside a line from the westernmost tip of Point Riou to Icy Cape Light.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes. King salmon are managed under the PST and Situk River has an escapement goal for king salmon.
4. What amount is reasonably necessary for subsistence uses? ANS is established at 5,800–7,832 salmon.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 128 – 5 AAC 01.720. Lawful gear and gear specifications.

PROPOSED BY: Southeast Subsistence Regional Advisory Council.

WHAT WOULD THE PROPOSAL DO? The use of set gillnets anchored or attached at one end would be allowed throughout all Southeast Alaska subsistence fisheries.

WHAT ARE THE CURRENT REGULATIONS? Set gillnets attached or anchored at either or both ends are allowed only in the Shipley Bay and Chilkat River subsistence salmon fisheries. Other allowed gear types are specified in the subsistence salmon permit. Drift gillnet gear is generally allowed throughout Southeast Alaska. Gillnets may not exceed 50 fathoms (300 feet) in length.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Overall subsistence salmon harvest would likely increase, helping to meet ANS, but could lead to conservation concerns. Without a net tending stipulation, the possibility of exceeding possession limits would increase, fish loss due to predation and dropouts would likely increase, and the incidental harvest of non-targeted species would likely increase.

BACKGROUND: In Southeast Alaska, the primary species harvested in subsistence and personal use fisheries is sockeye salmon. Harvest mostly occurs in marine waters, in the creek mouths, and extending out into the bays and inlets. Southeast sockeye salmon systems are generally small compared to other regions of the state; most with annual escapements of less than 5,000–20,000 fish that can only sustain limited harvest. Harvest is limited by a combination of season length, possession and annual limits, and gear type.

Set gillnets are allowed in Shipley Bay due to its remoteness and generally low effort, and subsequent low harvest in that area. Set gillnets are allowed in the Chilkat River because it is a larger river system where drift gillnets are ineffective and unsafe. Chilkat River set gillnets must be tended at all times.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on allowing set gillnets to be used throughout Southeast Alaska subsistence salmon fisheries. Subsistence harvest in Southeast Alaska's small sockeye systems has been sustainable with the current limits, seasons, and gear types. Limiting gillnet gear to drift gillnets requires that gear be tended at all times; reducing the chance of exceeding harvest limits, losing fish to predation and drop-outs, and minimizing the incidental harvest of other salmon species. Set gillnets may be an appropriate gear type for specific species in specific systems and should only be considered on a case-by-case basis. If this proposal were to be adopted the department supports adopting Proposal 134 which would prohibit using a beach seine, gillnet, or other man-made object from obstructing more than one-half of a stream, creek, river, bay, or fish passageway while subsistence or personal use fishing.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No. This proposal would not apply to personal use fisheries in the Juneau and Ketchikan nonsubsistence area fisheries.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has made positive C&T findings for salmon in most areas of Southeast Alaska.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes. The department uses a combination of limits, allowed gear, season length, and bag limits to manage harvest for sustained yield.
4. What amount is reasonably necessary for subsistence uses? There are a variety of ANS findings throughout Southeast Alaska (see Proposal 125).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 129 – 5 AAC 01.710. Fishing seasons. 5AAC 01.725; Waters closed to subsistence fishing; 5AAC 01.745. Subsistence bag and possession limits; annual limits.

PROPOSED BY: Klawock Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This proposal would modify the subsistence closed waters in the Klawock River area by allowing subsistence fishing upstream of the Klawock River bridge from August 15–September 30 to target coho salmon returning to the Klawock River. This proposal also seeks to remove the 40 coho salmon annual limit and modify it to 20 fish per day per resident with no annual limit.

WHAT ARE THE CURRENT REGULATIONS? Current subsistence regulations provide for an annual limit of 40 coho salmon per permit holder with closed waters upstream of the Klawock River Bridge (Figure 130-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A reduction of area closed to coho salmon subsistence fishing and the elimination of an annual limit would likely increase the subsistence salmon harvest on the Klawock River.

BACKGROUND: The Klawock River system has a long history of enhancement beginning in 1897 when the North Pacific Trading and Packing Company built and operated Klawock’s first hatchery near the base of Klawock Falls at the outlet of the lake. It remained in operation until 1917, releasing an estimated 3.2 million sockeye salmon fry from eggs collected in Three-mile Creek. It is unlikely based on their practices that the hatchery made any significant contribution to the commercial fishery.

Renewed enhancement efforts for chum and coho salmon on Klawock River began in 1978 when the department constructed a hatchery near the original hatchery site at the lake outlet. The city of Klawock took over the hatchery operation in 1995, followed by the POWHA, a private non-profit, in 1996. In 2016, SSRAA assumed hatchery operations and is currently permitted to release 5.5 million coho salmon smolt. Releases have averaged 4.15 million coho salmon smolt since 2011. Coho salmon have been split between net pens in the lake and, in recent years, net pens in the estuary to reduce predation on sockeye fry.

In 2005, the department developed a weekly escapement schedule for returning coho salmon to be passed through the weir from SWs 31 through 48 to propagate natural coho salmon spawning. The schedule removes 140 coho salmon from the 6,500 fish escapement cap to account for fish returning prior to SW 31 and after November 30.

The hatchery coho in Klawock Lake experienced modest returns until 2012, averaging 75,000 from 1997–2012. In 2011, outside consultants from SSRAA travelled to the Klawock Hatchery to assist in the rearing of Klawock coho and returns increased dramatically beginning in 2013. From 2013–2019 the total annual enhanced coho salmon run from the Klawock River has averaged 221,000 fish with a high of 321,000 fish in 2013. The average terminal run of enhanced coho, which includes broodstock, cost recovery, personal use harvest, and escapement past the weir (adults only), has averaged approximately 62,000 from 2013-2019. Klawock River coho salmon harvest based on returned subsistence/personal use permits are found in Table 130-1.

DEPARTMENT COMMENTS: The department **OPPOSES** removing closed waters above the Klawock River bridge and is **NEUTRAL** on the annual limit portion of the proposal. Removing the closed waters above the Klawock River bridge may result in increased incidental harvest of sockeye salmon after the subsistence fishery targeting sockeye salmon has closed but they are still present (see Staff Comments for Proposal 130).

The Klawock River Hatchery's large number of returning coho salmon to the system for many years leads the department to believe that the majority, if not all, returning coho salmon are of hatchery origin. AS 16.05.940(34) defines subsistence uses as the noncommercial, customary and traditional uses of wild, renewable resources by a resident. As such, if this proposal were to be adopted, it may be more appropriate to address the coho salmon possession limit under personal use regulations in Chapter 77.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(15) that salmon, Dolly Varden char, and steelhead trout in Section 3-B in waters east of a line from Point Ildenfonso to Tranquil Point are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 9,068 – 17,503 salmon that are reasonably necessary for subsistence purposes for Districts 1–4 (5 AAC 01.716(c)(1)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 130 – 5 AAC 01.710. Fishing seasons.

PROPOSED BY: Klawock Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Waters upstream of the Klawock River highway bridge would open to the harvest of salmon in the subsistence fishery and the season for sockeye salmon retention would be reduced from July 7–August 7 to July 10–July 31.

WHAT ARE THE CURRENT REGULATIONS? Regulations allow subsistence and personal use fishing for salmon in the Klawock Inlet and estuary downstream of the Klawock River bridge from July 7–August 7 weekly from 8:00 a.m. Monday until 5:00 p.m. Friday (Figure 130-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow additional opportunity to harvest sockeye salmon on the Klawock River in an area where fish are particularly vulnerable to harvest and also reduce the season length by one week from August 7 to July 31. The additional harvest upstream of the bridge may be offset by the reduction in season length on an annual basis.

BACKGROUND: Klawock River sockeye salmon have always been an important food resource to the residents of Craig and Klawock. Although pink, coho, and chum salmon return to the Klawock River, sockeye salmon are the preferred subsistence food fish and compose most subsistence and personal use harvest. The Klawock River sockeye salmon fishery has been under a department permit system since 1969. The board established a customary and traditional use determination for this area in 1989. Improvements to the Prince of Wales Island road system and a ferry system providing easy access of Ketchikan residents to the Klawock River system combined with poor returns of sockeye salmon has raised overharvest concerns. Sockeye salmon in the estuary above the bridge are particularly susceptible to harvest, and potentially overharvest in years with weak returns. To address these concerns, and based on proposal input from the local advisory committees and the Southeast Subsistence Regional Advisory Council, the board established regulations that closed fishing on weekend days in 1986 and closed the waters above the Klawock River bridge in 2015. Prior to the closure above the bridge, sockeye salmon subsistence harvest occurred throughout the drainage.

In 1985, the local Hatchery Advisory Council requested that the department begin a sockeye salmon enhancement program over concerns about poor escapements. Two years later the Klawock Hatchery released both fed and unfed fry into Klawock Lake to augment natural sockeye salmon production. These sockeye enhancement efforts were largely unsuccessful and there was little to no effort made to evaluate the sockeye enhancement program. The city of Klawock assumed hatchery operation in 1995, followed by the POWHA, a private non-profit, in 1996. POWHA continued to release sockeye salmon until the program was discontinued in 2001.

Total escapement of sockeye salmon to the Klawock River has been estimated by a variety of methods. Although a weir has been maintained most years after 1978 at the Klawock River Hatchery, counts prior to 1999 were often incomplete due to high water events, the hatchery operator failing to make accurate counts or simply passing uncounted sockeye through the weir, and variable start-up dates of weir operation. The most complete information on escapements has been collected since 2001. Spawning escapements recently declined from an average 17,100 fish from 2001 to 2010 to an average 6,100 fish from 2011 to 2019—a decline of 65%—including the smallest recorded escapement of only 1,086 fish in 2013.

The department manages subsistence salmon fisheries in Southeast Alaska under the terms of subsistence fishing permits (5 AAC 01.730); since 1985, subsistence users have been required to return permits with a record of their harvest. Reported harvest from permits is less than community harvest generated from surveys; for example, the reported harvest of Klawock Lake sockeye salmon from permits averaged approximately 60% of the harvest estimated from on-the-grounds surveys conducted from 2001 to 2008. The reported subsistence harvest of Klawock Lake sockeye salmon averaged 4,190 fish in the 1990s, declined 30% to an average 2,880 fish in the 2000s, and declined more to an average of only 1,425 fish from 2011 to 2019—a total decline of 68% from the 1990s.

In addition to a state subsistence fishery, harvest has also occurred in fresh waters by federally qualified subsistence users since 2002 through permits issued by the USFS. Although the federal harvest in fresh waters was much smaller, this additional harvest is outside of the state’s management authority. In January 2011, the Federal Subsistence Board voted to remove the defined season in federal regulations and open the fishery in federal waters for the entire year. In 2015, the USFS also closed the waters above the bridge to the federal fishery.

Recently, The Nature Conservancy organized a “Klawock Lake Sockeye Salmon Stakeholder Meeting” (held in Klawock in November 2017) that included multiple agencies, tribal organizations, subsistence fishermen, land managers, and fish and wildlife managers. The purpose of the meeting was to present information, discuss issues, research, and management needs to better understand recent declines in the Klawock Lake sockeye salmon run. As a result of this work, the department initiated a 4-year genetic study to estimate the contribution of Klawock Lake sockeye salmon to the District 3 and District 4 purse seine fishery. This study will conclude after the 2021 season, at which time results will be released.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal removing the closed waters upstream of the bridge but is **NEUTRAL** on the season length portion of this proposal. Additional harvest at this time could be detrimental to the health of the stock and there is also concern with harvesting a larger proportion of the early portion of the run.

The department is concerned with the health of the Klawock River sockeye salmon stock. Sockeye salmon stocks throughout southern southeast Alaska have been experiencing poor returns since 2013. This proposal could increase the subsistence harvest of Klawock River sockeye salmon by allowing harvest in an area where they are highly susceptible to harvest. In addition, many users of the resource, along with the USFS, have voiced concerns to the department that Klawock River sockeye salmon runs have been below average in recent years. It is difficult to manage this fishery inseason based on sockeye salmon abundance because more than three-quarters of the weir passage occurs after the subsistence fishery has closed on August 7. If this proposal is adopted, and observed escapements continue to be below average, the department may need to restrict open fishing time since it does not have the authority to reduce possession limits.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.

2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(15) that salmon, Dolly Varden char, and steelhead trout in Section 3-B in waters east of a line from Point Ildenfonso to Tranquil Point are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 9,068 – 17,503 salmon that are reasonably necessary for subsistence purposes for Districts 1–4 (5 AAC 01.716(c)(1)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 130-1–Klawock River subsistence permits fished, reported subsistence sockeye and coho salmon harvest and sockeye salmon weir count, 1999–2019.

Year	Permits Fished	Sockeye Harvest	Coho Harvest ^a	Sockeye Weir Count
1999	124	3506	50	5,226
2000	113	3,015	31	9,351
2001	130	4,433	60	7,237
2002	116	3,778	29	14,207
2003	91	3,195	10	5,945
2004	80	2,697	53	12,326
2005	34	238	49	12,487
2006	65	1,859	76	12,720
2007	57	2,042	31	17,500
2008	70	3,000	108	18,002
2009	127	4,296	104	16,559
2010	99	3,260	382	21,549
2011	76	2,079	34	4,301
2012	68	2,327	146	2,228
2013	53	1,071	476	1,086
2014	58	1,182	299	5,911
2015	29	549	177	7,696
2016	49	1,423	353	6,210
2017	37	1,100	251	12,535
2018	57	1,857	245	7,371
2019	33	1,237	261	7,368
2014	58	1,182	299	5,911
2015	29	549	177	7,696
2016	49	1,423	353	6,210
2017	37	1,100	251	12,535
2018	57	1,857	245	7,371
2019	33	1,237	261	7,368

^a Coho salmon harvest includes hatchery produced coho salmon returning to Klawock River Hatchery.

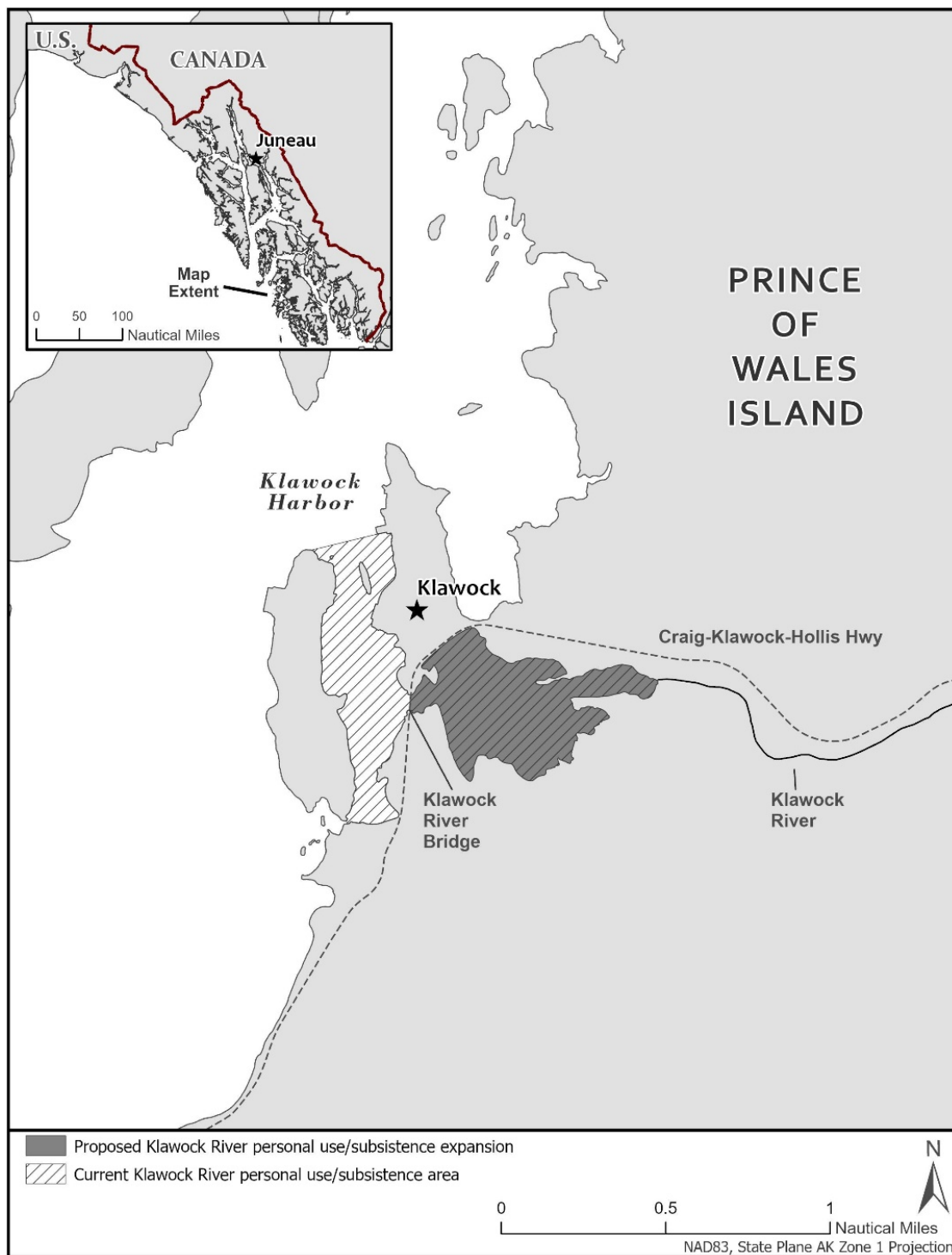


Figure 130-1.—Klawock River subsistence fishing area and the proposed expansion.

PROPOSAL 131 – 5 AAC 01.760. Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan.

PROPOSED BY: Sitka Tribe of Alaska.

WHAT WOULD THE PROPOSAL DO? Hand purse seine would be added as an allowed gear type for community harvest permits in Redoubt Bay. Additionally, this would expand the area where community harvest permits may fish in Redoubt Bay to within approximately 100 yards from the base of the falls at the outlet to Redoubt Lake.

WHAT ARE THE CURRENT REGULATIONS? Community harvest permits may be issued when the projected total sockeye salmon escapement to Redoubt Lake is greater than 40,000 fish. The Redoubt Bay community harvest area is defined as waters south of 56°54.71' N lat and west of 135°18.88' W long (Figure 131-1). Legal gear for harvest under the community harvest permit is limited to beach seine, gaff, spear, dip net, and hook and line attached to a rod or pole. The possession limit for community harvest permits is 500 sockeye salmon. In Redoubt Bay, seine and gillnet gear may not be used in waters closed to commercial salmon fishing. Purse seine, hand purse seine, and beach seine are types of seine gear that may be allowed in Southeast Alaska subsistence fisheries. There are no length or depth restrictions for subsistence seine gear. Hand purse seine gear is defined as a floating net designed to surround fish and which can be closed at the bottom by pursing the lead line; pursing may only be done by hand power. Beach seine gear is defined as a floating net designed to surround fish which is set and hauled from the beach.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A more efficient gear type would be allowed and the area available to fish for community harvest permits in Redoubt Bay would increase. The subsistence harvest of salmon in Redoubt Bay would likely increase by an unknown amount in years where community harvest permits are issued.

BACKGROUND: The *Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan* was adopted in 2003. This plan established an OEG for Redoubt Lake sockeye salmon (7,000–25,000 fish) and created an abundance-based management plan to manage the harvest of sockeye salmon in subsistence, sport, and commercial fisheries. The plan was designed to increase the likelihood of achieving the sockeye salmon OEG, especially in years with large runs, and to ensure subsistence priority.

From 2003 through 2020, the Redoubt Lake sockeye salmon OEG has been met seven times and exceeded eleven times. The subsistence fishery 2003–2019 average sockeye salmon harvest was 5,478 fish and ranged from 12,090 fish harvested in 2019 to 599 fish harvested in 2015. An average 269 subsistence salmon permit holders have participated in the Redoubt Bay fishery since 2003. Community harvest permits have been allowed in nine years since 2003 and participation was low with harvest reported in four years. A directed sockeye salmon commercial purse seine fishery was also allowed in those same nine years averaging 7,980 fish per year with harvest ranging from 20 fish in 2003 to 34,900 fish in 2019 (Table 131-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The Department has concerns that the proposal would potentially increase the competition between individual/household and community harvest permit users. The department does not have concern

with increased harvest from community permits because they are only issued during years of higher sockeye salmon abundance.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(11)(B)(ii) that sockeye salmon in Section 13-B in waters north of the latitude of Redfish Cape are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 10,487–20,225 salmon that are reasonably necessary for subsistence uses for Section 9-A and District 13 (5 AAC 01.716(c)(3)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 131-1.—Sockeye salmon harvest estimates from subsistence and community harvest permits and the directed commercial seine fishery from Redoubt Bay, 2003–2019.

Year	<u>Subsistence permits</u>		<u>Community harvest permits</u>		Commercial harvest ^a	Community harvest permits and directed seine fishery allowed
	Number of permits with reported harvest	Harvest	Number of permits issued	Harvest		
2003	407	10,566	2	50	20	Yes
2004	430	9,226	3	196	1,810	Yes
2005	304	5,299	—	—	—	No
2006	517	13,470	3	255	8,100	Yes
2007	413	8,711	1	13	4,700	Yes
2008	76	679	—	—	—	No
2009	166	1,149	—	—	—	No
2010	179	1,656	—	—	—	No
2011	153	1,402	—	—	—	No
2012	257	4,977	—	—	—	No
2013	267	4,352	1	0	400	Yes
2014	157	1,892	—	—	—	No
2015	96	599	—	—	—	No
2016	181	2,489	—	—	—	No
2017	227	4,294	1	0	0	Yes
2018	367	10,280	1	0	13,900	Yes
2019	378	12,090	1	0	34,900	Yes
2003–2019 Avg.	269	5,478	2	64	7,979	

^a Commercial harvest estimates are from statistical area 113-41 from days when the Redoubt Bay commercial sockeye salmon fishery was open.

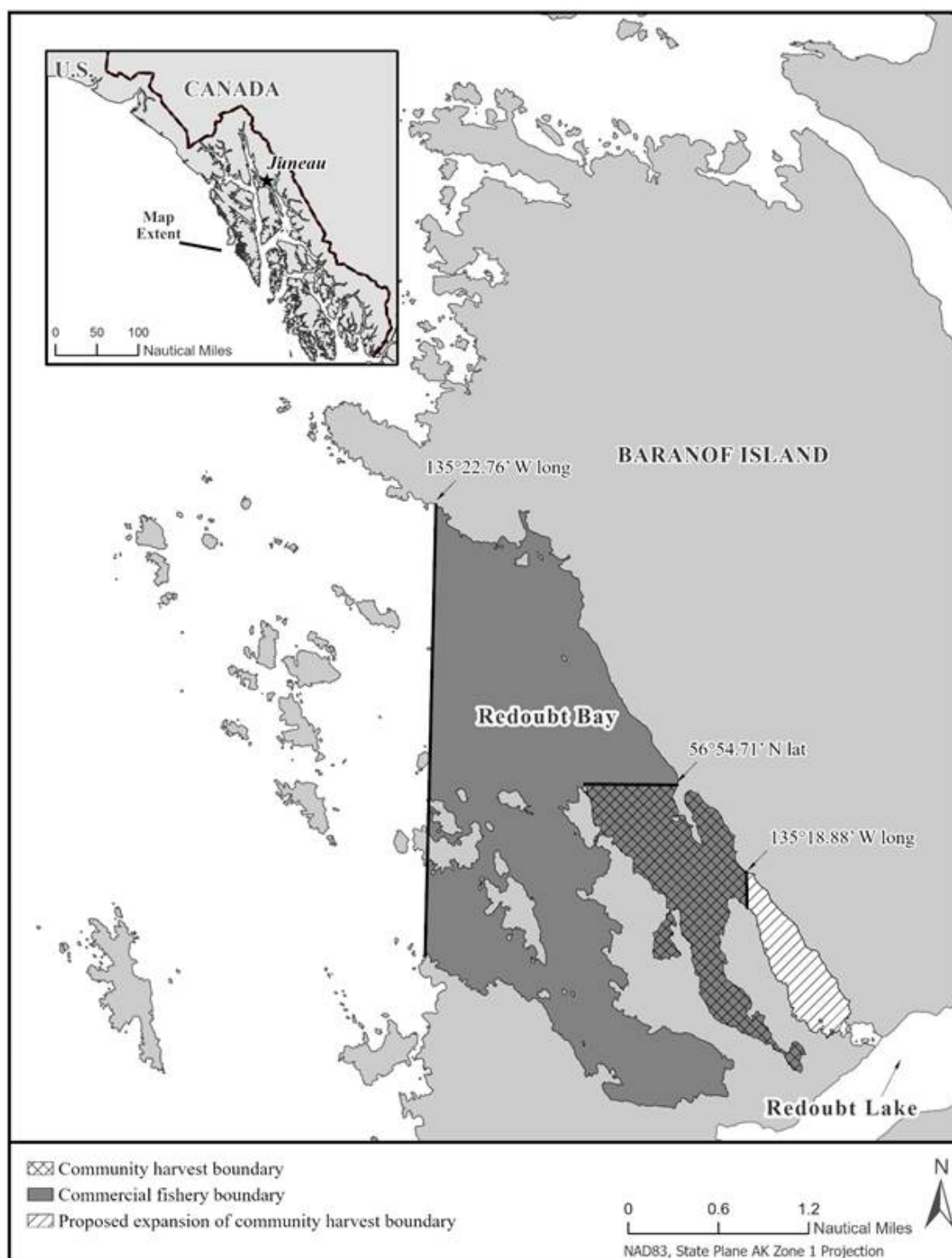


Figure 131-1.—Redoubt Bay subsistence, sport, and commercial fishery boundaries.

PROPOSAL 132 – 5 AAC 01.760. Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan.

PROPOSED BY: Floyd Tomkins.

WHAT WOULD THE PROPOSAL DO? An individual would be prohibited from being fully submerged in water while taking salmon in the Redoubt Bay subsistence fishery from June 21 to August 1 between department regulatory markers located approximately 100 yards from the base of falls and the weir operated by the USFS.

WHAT ARE THE CURRENT REGULATIONS? In the *Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan*, Redoubt Bay is defined as waters south of 56°54.71' N lat (Figure 131-1). In the subsistence salmon fishery, sockeye salmon may be taken from June 1 through August 31 only by gaff, spear, dip net, and hook and line attached to a rod or pole. A spear is defined as a shaft with a sharp point or fork-like implement attached to one end, used to thrust through the water to impale or retrieve fish and is operated by hand. Dive gear (which includes scuba, tethered, umbilical, surface supplied system, and snorkel) is not a legal gear type in the Redoubt Bay subsistence salmon fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A person could no longer dive (be submerged) while spear fishing for salmon in Redoubt Bay.

BACKGROUND: The *Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan* was adopted in 2003. This plan established an OEG for Redoubt Lake sockeye salmon (7,000–25,000 fish) and created an abundance-based management plan to manage the harvest of sockeye salmon in subsistence, sport, and commercial fisheries. This plan intends to increase the likelihood of achieving the sockeye salmon OEG, especially in years with large runs, and to ensure subsistence priority.

From 2003 through 2020, the Redoubt Lake sockeye salmon OEG has been met 7 times and exceeded 11 times. The subsistence fishery 2003–2019 average sockeye salmon harvest is 5,478 fish with harvest ranging from 12,090 fish in 2019 to 599 fish in 2015. The 2003–2019 average number of permits that indicated participating in the fishery is 269 (Table 131-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. There are no biological or safety concerns with the current management of the subsistence and sport salmon fisheries in Redoubt Bay.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(11)(B)(ii) that sockeye salmon in Section 13-B in waters north of the latitude of Redfish Cape are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.

4. What amount is reasonably necessary for subsistence uses? The board has established a range of 10,487–20,225 salmon that are reasonably necessary for subsistence uses for Section 9-A and District 13 (5 AAC 01.716(c)(3)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 133 – 5 AAC 01.760. Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The use of seine and gillnet gear in the subsistence salmon fishery in the waters of Redoubt Bay would be allowed in the areas that are open to commercial fishing.

WHAT ARE THE CURRENT REGULATIONS? In the *Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan*, Redoubt Bay is defined as waters south of 56°54.71' N lat (Figure 131-1). In the subsistence salmon fishery, sockeye salmon may be taken from June 1 through August 31 only by gaff, spear, dip net, and hook and line attached to a rod or pole. Seine and gillnet gear are excluded from this list. *Lawful gear and gear specifications* (5 AAC 01.720(a)(1)) states that in Redoubt Bay, seine and gillnet gear may not be used in waters closed to commercial salmon fishing. When the projected escapement of sockeye salmon to Redoubt Lake is greater than 40,000 fish, the department may open portions of Redoubt Bay to a commercial fishery and community harvest permits may be issued. The waters of Redoubt Bay east of 135°18.88' W long are closed to commercial fishing. The Redoubt Bay community harvest area is defined as waters south of 56°54.71' N lat and west of 135°18.88' W long (Figure 131-1).

Purse seine, hand purse seine, and beach seine are types of seine gear that may be allowed in Southeast Alaska subsistence fisheries. There are no length or depth restrictions for subsistence seine gear. Drift gillnets are also a legal gear type for subsistence fisheries in Southeast Alaska; set gillnets, with a few exceptions, are not allowed. Gillnets used for subsistence fishing may not exceed 50 fathoms in length. The legal gear for harvest under the community harvest permit is limited to beach seine, gaff, spear, dip net, and hook and line attached to a rod or pole.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Regulations would clearly allow for the use of seine and gillnet gear in all areas of the Redoubt Bay subsistence salmon fishery. Opportunity to use seine and gillnet gear would increase and harvest of salmon would likely increase in the Redoubt Bay subsistence salmon fishery.

BACKGROUND: The *Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan* was adopted in 2003. This plan established an OEG for Redoubt Lake sockeye salmon (7,000–25,000 fish) and created an abundance-based management plan to manage the harvest of sockeye salmon in subsistence, sport, and commercial fisheries. This plan intends to increase the likelihood of achieving the sockeye salmon OEG, especially in years with large runs, and to ensure subsistence priority.

From 2003–2020, the Redoubt Lake sockeye salmon OEG has been met 7 times and exceeded 11 times. The 2003–2019 average sockeye salmon subsistence harvest is 5,478 fish and ranged from 12,090 fish harvested in 2019 to 599 fish harvested in 2015. The 2003–2019 average participation is 269 permits. Participation and harvest from Redoubt Bay community harvest permits has historically been very low and data from these permits is considered confidential. The low participation and harvest are likely due to current regulatory restrictions on allowed gear and fishing area. There has been a directed commercial sockeye salmon fishery in Redoubt Bay in 9 years from 2003 through 2020. From 2003 through 2019 in years when a directed commercial purse seine fishery has occurred, the average sockeye salmon harvest is 7,980 fish and ranged from 20 fish in 2003 to 34,900 fish in 2019 (Table 131-1).

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal to clarify conflicting regulations. The regulations governing the use of subsistence seine and gillnet gear in Redoubt Bay are confusing and potentially conflict with each other. For example, when there is a commercial seine fishery in Redoubt Bay, the bay is opened east of 135°22.76' W long to the regulatory closed waters (Figure 131-1). When the commercial fishery is opened, *Lawful gear and gear specifications* (5 AAC 01.720(a)(1)) indicates that seine and gillnet subsistence gear is allowed in these waters, but *Redoubt Bay and Lake Sockeye Salmon Fisheries Management Plan* (5 AAC 01.760(b)(1)(B)) does not list seine or gillnet gear as legal gear in waters south of 56°54.71' N lat. One regulation seemingly allows the subsistence gear in question to be used and the other creates a situation where waters that are open to commercial fishing are closed to the use of seine and gillnet gear in the subsistence salmon fishery. If this proposal were adopted the department would recommend the board specify what types of seine gear would be allowed and when seine and drift gillnet gear would be authorized in the Redoubt Bay subsistence salmon fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(11)(B)(ii) that sockeye salmon in Section 13-B in waters north of the latitude of Redfish Cape are customarily and traditionally taken for subsistence uses.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 10,487–20,225 salmon that are reasonably necessary for subsistence uses for Section 9-A and District 13 (5 AAC 01.716(c)(3)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Personal Use

PROPOSAL 134 – 5 AAC 01.720. Lawful gear and gear specifications and 5 AAC 77.682. Personal use salmon fishery.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Prohibit using a beach seine, gillnet, or other man-made object to obstruct more than one-half of a stream, creek, river, bay, or fish passageway while subsistence or personal use fishing.

WHAT ARE THE CURRENT REGULATIONS? Subsistence and personal use regulations in the Southeast Alaska Area do not restrict how much of a stream, creek, river, bay, or fish passageway may be obstructed by fishing gear. However, there are instances where restrictions are included as permit conditions for specific areas. In the Yakutat Area, subsistence and personal use regulations prohibit obstructing more than two-thirds of the width of a stream and any channel or side channel of a stream.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Water bodies that salmon utilize while migrating to their spawning grounds could not be completely obstructed by subsistence and personal use fishing gear or other man-made objects. The risk of overharvesting escapement would be reduced by allowing unimpeded fish passage through at least half of the waterway.

BACKGROUND: Subsistence and personal use fishing opportunity is provided by means of a permit. The permit conditions list salmon systems or areas that may be fished, harvest limits, seasons, and allowed gear as well as other conditions the department deems necessary. In Southeast, there are many small systems where the stream or bay can be closed off by a gillnet or beach seine. Drift gillnets are commonly used gear and obstructing a stream or bay with a drift gillnet cannot be done legally because the net cannot be intentionally anchored. This includes intentionally setting one end of the net on the beach or in water too shallow for the net to effectively drift. Beach seines can be used to completely obstruct a stream or other water body. The proposed regulation has been applied elsewhere in Alaska, and with the exception of Yakutat, all limit obstruction of a stream to no more than one-half the width. Several areas around Southeast currently include similar conditions on their subsistence and personal use permits that restrict waterbody obstruction. For example, permit conditions for the Ketchikan Management Area state that a beach seine may not obstruct more than one-half the width of any fish stream and any channel or side channel of a fish stream, including the estuary leading to the stream. Subsistence and personal use regulations for the Yakutat Management Area stipulate that a gillnet or seine may not obstruct more than two-thirds the width of a stream and any channel or side channel of a stream (5AAC 01.670(d) and 5AAC 77.628(g)).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Adoption of this proposal may allow more widespread opportunity by passing more fish into the bays and streams where others are fishing, and it may prevent excessive harvest on specific temporal components of the run; however, through current limitations on gear, harvest limits and seasons, salmon runs have been sustainable. The department **SUPPORTS** this proposal if Proposal 126 were to be adopted. If set gillnets were to be uniformly allowed throughout the Southeast Alaska

Area, obstructing the stream could become a common practice increasing the risk of overharvesting portions of salmon runs utilized by subsistence and personal use fishermen. If this proposal were to be adopted, it would be better to place under 5 AAC 01.720 which regulates the subsistence fishery and 5 AAC 77.682 which regulates the personal use salmon fishery. 5 AAC 77.699 is specific to the use of personal use shellfish harvested by lodges and/or guides harvested by clients. The department notes that if this were to be adopted, it would only affect the personal use fishery leading to differences in the personal use and subsistence fishery regulations that would increase the complexity of regulations pertaining to the two fisheries. The department would recommend adopting similar regulations for the subsistence salmon fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? Several stocks are in the Ketchikan and Juneau nonsubsistence areas.
2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has made several positive C&T findings for salmon and other finfish throughout the Southeastern Alaska Area.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes, on a case-by-case basis.
4. What amount is reasonably necessary for subsistence uses? ANS has been determined as follows: in Districts 1–4, 9,068–17,503 salmon; in Districts 5–8, District 10, and Section 9-B, 4,120–7,345 salmon; in Section 9-A and District 13, 10,487–20,225 salmon; in District 12, 1,100–1,700 salmon, in District 14, 600–1,500 salmon; in District 15, 7,174–10,414 salmon. ANS has also been determined for herring spawn in Section 13A and Section 13B north of the latitude of Aspid Cape, as 136,000–227,000 pounds.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 135 – 5 AAC 77.682. Personal use salmon fishery.

PROPOSED BY: Michael Fox.

WHAT WOULD THE PROPOSAL DO? The department could issue personal use permits in Southeast Alaska for the directed take of king and coho salmon.

WHAT ARE THE CURRENT REGULATIONS? In Southeast, the department may not issue a personal use permit for the taking of wild king or coho salmon but incidental harvest while fishing for other species is allowed with a possession limit of two king and six coho salmon. Personal use fisheries may be conducted on hatchery-produced king and coho salmon in THAs and SHAs with possession limits varying by hatchery management plan. Directed harvest of coho salmon is allowed on fish stocks with positive C&T findings in subsistence fishing under subsistence regulations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Personal use fishery regulations in the nonsubsistence areas would be more liberal than subsistence regulations. King and coho salmon would be reallocated from sport and commercial fisheries to the personal use fisheries. There may be enforcement issues created in some areas, particularly where fisheries with similar gear overlap or there are different bag and possession limits, seasons, and other restrictions. Resource, management, and enforcement issues would vary depending on the harvest limits, seasons, and areas open to fishing under this proposed regulation.

BACKGROUND: In nonsubsistence areas, king and coho salmon are fully allocated between the sport and commercial fisheries. A small incidental take of king and coho salmon are allowed in the personal use fishery to prevent waste if king or coho salmon are incidentally harvested while targeting other salmon species. The possession limits for king and coho salmon are based on sport fishery possession limits. The harvest of both king and coho salmon are bound by provisions of the Pacific Salmon Treaty. Allowing directed harvest in the nonsubsistence terminal areas of District 11 would be considered a new fishery and would need to be vetted through the Transboundary Panel of the Pacific Salmon Commission.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal but **OPPOSES** issuing permits for directed personal use king and coho salmon fisheries. Adoption of this proposal would make personal use fisheries more liberal than subsistence fisheries. The department would not issue a permit for a directed king salmon personal use fishery in nonsubsistence areas because most Southeast Alaska king salmon stocks have been in a prolonged low abundance population status.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 136 – 5 AAC 77.682. Personal use salmon fishery.

PROPOSED BY: Michael Fox.

WHAT WOULD THE PROPOSAL DO? Prohibit the possession of commercial, personal use, and sport harvested salmon on the same day.

WHAT ARE THE CURRENT REGULATIONS? Possession of personal use and sport harvested salmon on the same day is prohibited. Sport fishing from a commercially licensed vessel while commercially caught salmon are in possession is illegal in waters closed to commercial salmon fishing. A person may not sport fish and commercial fish for salmon from the same vessel on the same day. A person may not possess unpreserved sport caught salmon on any commercial salmon vessel while engaged in commercial salmon fishing. Salmon taken while sport fishing from a commercially licensed vessel must have the dorsal fin removed immediately. Salmon taken under a personal use permit are required to be marked by removing both lobes of the caudal fin. Personal use and commercially harvested salmon may be in possession on the same day. Commercial fishermen may retain any amount of their commercially caught salmon for their own personal use, and these fish may not be sold or bartered and must be reported as retained for personal use on fish tickets documenting commercially sold fish. Fish taken under a personal use permit may not be sold or bartered.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Commercial fishermen would not be able to possess commercial and personal use harvested salmon on the same day.

BACKGROUND: The possession of sport and personal use harvested, and sport and commercially harvested salmon is currently prohibited by existing regulations. Commercial fishermen have always been allowed to retain all or a portion of their legally harvested salmon for their own personal use.

DEPARTMENT COMMENTS: The department **OPPOSES** adding regulations that may confuse existing regulations. This proposal is likely intended to prevent a commercial fisherman from participating in a personal use fishery requiring a personal use permit on the same day as commercial fishing. Current regulations allow the retention of commercially caught salmon for the permit holder's personal use and adopting this proposal could add confusion over a practice that has always been allowed. Since a commercial permit holder's legally retained salmon for personal use may not be sold, there is no financial incentive for a commercial fisherman to engage in a personal use fishery while commercially harvested salmon are on board.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 137 – 5AAC 77.016. Personal use fishing by proxy.

PROPOSED BY: Nicholas Orr.

WHAT WOULD THE PROPOSAL DO? This would prohibit personal use proxy fishing for sockeye salmon in the waters of Sweetheart Creek.

WHAT ARE THE CURRENT REGULATIONS? AS 16.05.405 authorizes the board to adopt regulations for the taking of fish and game by proxy by a resident holding a valid noncommercial fishing license on behalf of a resident who is blind, disabled, or over 65 years of age. Any salmon allowed to be taken by personal use fishing under regulations in Chapter 77 in Southeast Alaska may be taken by personal use fishing by proxy.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Alaska residents who are blind, disabled or over 65 years of age and obtained a Southeast Alaska Subsistence and Personal Use Salmon Permit could not have sockeye salmon harvested for them by proxy in the waters of Sweetheart Creek. The Sweetheart Creek personal use fishery possession limit is 25 sockeye salmon, with no annual limit.

BACKGROUND: Sweetheart Creek is approximately 35 nautical miles southeast of Juneau in Port Snettisham and is the most highly utilized personal use salmon system in the immediate Juneau area. The creek flows from Sweetheart Lake that is barriered to upstream salmon migration a short distance from salt water and has a natural run of pink salmon. Douglas Island Pink and Chum (DIPAC) operates Snettisham Hatchery in the adjacent Speel Arm and annually stocks Sweetheart Lake with unfed sockeye salmon fry. Since 1993, the adult sockeye salmon returns to the waters of Sweetheart Creek have all been available for personal use harvest by permitted residents. With no conservation concerns over these hatchery-origin sockeye salmon, the annual possession limit was set at 25 fish per permit in 1994 as a fairness measure to provide opportunity to a greater number of households. The annual limit was removed in 2002. The 1993–2019 average annual harvest was approximately 3,400 sockeye salmon from 199 permits, with an average of 125 sockeye salmon harvested by proxy for eight permits. The recent 10-year average annual harvest is 4,000 sockeye salmon from 230 permits with an average of 175 sockeye salmon harvested by proxy for 12 permits.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The board has the authority to adopt regulations restricting proxy fishing in personal use fisheries, but so far has chosen not to do so. The Board of Game has restricted proxy hunting to protect game populations from overharvest and to prevent hunters from using the proxy system as a means to harvest the largest animal for their own benefit.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSALS 138–141 – 5AAC 77.682. Personal use salmon fishery.

PROPOSED BY: Mike Fox (138, 140, 141) and John Clark (139).

WHAT WOULD THE PROPOSALS DO? Establish a new personal use sockeye salmon drift gillnet fishery in the marine waters near Juneau. Proposals 139 and 140 seek to harvest the Taku River sockeye salmon possession limit currently specified in regulation for the inriver fishery in this new marine fishery.

WHAT ARE THE CURRENT REGULATIONS? In the marine waters near Juneau, sockeye salmon may not be taken for personal use. Sockeye salmon may be taken for personal use only in the Taku River drainage and in the waters of Sweetheart Creek in Port Snettisham. In the Taku River drainage, sockeye salmon may be taken only in the waters upstream of Taku Lodge and only from July 1 through July 31. Possession and annual limits are 10 sockeye salmon for households of one person and 20 sockeye salmon for households of two or more people. In Sweetheart Creek, sockeye salmon may be taken upstream of a marker located at the stream mouth from June 1 through October 31. Possession limit is 25 sockeye salmon and there is no annual limit.

WHAT WOULD BE THE EFFECT IF THESE PROPOSALS WERE ADOPTED? Personal use fishermen could harvest sockeye salmon in the marine waters of District 11 using drift gillnets. If allowed in the waters of Section 11-A, there are conservation concerns for the small sockeye salmon systems along the Juneau road system, and in the waters of Section 11-B, significant harvest of other salmon species would likely occur. This would establish a new fishery in waters where the salmon resource is fully allocated between sport and commercial drift gillnet fisheries, and would need to be vetted through the Pacific Salmon Treaty (PST) process. As long as the total harvests of Taku River sockeye salmon stay within the annual U.S. allowed catch defined in the PST, allocations among fisheries in District 11 is a U.S. domestic issue.

BACKGROUND: Within the waters of District 11 that surround the community of Juneau, there are few stocks of sockeye salmon robust enough to support personal use fishing. A few populations of sockeye salmon exist along the Juneau road system but are too small to support fisheries given the number of potential personal use fishermen that reside in Juneau. The Taku River drainage stock complex and the Snettisham Hatchery-origin run at Sweetheart Creek are the only sockeye salmon systems in the district capable of providing sustainable personal use harvests. The waters of Section 11-B support mixed stock commercial drift gillnet fisheries that harvest all species of wild and enhanced salmon returning to the Taku River drainage, Port Snettisham, and Stephens Passage systems (Figure 138-1). During the directed drift gillnet fishery targeting Taku River wild stocks between SW 25 and 33 (late June through mid-August), the recent 10-year average proportion of sockeye salmon in the total commercial salmon harvest is 14%, with a range of 6% to 35% annually.

The 1993–2019 average annual personal use harvest of sockeye salmon from Sweetheart Creek is approximately 3,400 fish taken by 199 permits while the recent 10-year average harvest is approximately 4,000 fish taken by 230 permits. The 1985–2019 average annual personal use harvest of sockeye salmon from the Taku River is approximately 1,100 fish taken by 121 permits while the most recent 10-year average is approximately 1,200 fish taken by 130 permits.

The 1984–2019 average annual Taku River terminal run size of transboundary sockeye salmon is approximately 171,000 fish with an average escapement of approximately 64,000 fish. Over this same period, U.S. harvest (commercial and personal use fisheries) of Taku River transboundary

sockeye salmon in District 11 has averaged approximately 81,000 fish annually. Under the current PST harvest sharing agreement implemented in 2019 and the newly established Taku River sockeye salmon escapement goal range of 40,000 – 75,000 fish with a point goal of 58,000 fish, the U.S. has harvested, on average, approximately 93% of the U.S. AC.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal and **OPPOSES** allowing a personal use fishery targeting sockeye salmon in the marine waters of District 11. In the waters of Section 11-A, the small sockeye salmon stocks present are insufficient to support personal use harvest. In the waters of Section 11-B where no local sockeye salmon conservation concerns exist, incidental harvest of other species of salmon would likely be greater than the harvest of the sockeye salmon. Proposals 139 and 140 seek to allow harvest at possession and annual limits of Taku River sockeye salmon provided in 5AAC 77.682(f) in the marine waters of District 11, while proposals 138 and 141 seek opportunity to harvest sockeye salmon in the same marine waters with no specified limits. Harvest shares between the U.S. and Canada for the identified surplus of Taku River sockeye salmon are outlined in Annex IV of the PST, with the domestic allocation of U.S. and Canada's harvest share at the discretion of the Parties. Any marine salmon personal use harvest in District 11 would require the Taku River transboundary stock component of sockeye, coho, and king salmon be estimated and reported in annual PST accounting exercises. Article IV of the PST regarding conduct of fisheries requires each party to submit preliminary information regarding its intentions concerning management of fisheries in its own waters to be reviewed by the appropriate Panel which then recommends fishery regimes to the Parties. Implementation of any new marine fishery harvesting Taku River sockeye salmon adopted by the board may be delayed until vetted by the bilateral Transboundary Rivers Panel of the Pacific Salmon Commission.

All these proposals cite the “fair and reasonable opportunity” for the taking of fishery resources provided by AS 16.05.251(d) but are all specific to sockeye salmon. The opportunities currently provided under personal use regulations allow harvest in the areas of District 11 with higher concentrations of sockeye salmon in creeks or rivers rather than in more expansive marine waters. In freshwater systems, conservation concerns for other species are minimized since fishing opportunity occurs beyond mixed stock corridors. It is likely that the species composition of a marine drift gillnet personal use harvest would be similar to the commercial drift gillnet fleet where the recent 10-year average proportion of sockeye salmon in the salmon harvest during directed sockeye salmon fishing is 14%. The proposed fishery in marine waters would not be an efficient means to target sockeye salmon.

If the board wishes to provide additional opportunity to personal use fishermen to harvest salmon in portions of the marine waters of Section 11-B, the department recommends an approach similar to the subsistence fishery in Sumner Strait near Point Baker provided in 5AAC 01.710(f) with non-species specific salmon possession and annual limits described in 5AAC 01.745(c), which are 25 salmon. In this mixed stock marine fishery, harvesters may retain sockeye salmon, but the possession and annual limit is for all species of salmon. Because all proposals are seeking efficient harvest opportunity for Juneau residents, the waters of Section 11-C and 11-D should not be considered due to their distance from Juneau, and Section 11-A should not be considered due to conservation concerns over the small sockeye and coho salmon runs along the Juneau road system (Figure 138-141-1). A description of the open area in Section 11-B, the season most likely to capture sockeye salmon, and weekly times personal use fishing is allowed should be established to minimize conflicts with existing fisheries and address potential conservation concerns.

Restrictions early in the season may be necessary to avoid the incidental harvest of Taku River king salmon, a transboundary salmon run that has achieved the minimum of the escapement goal range only once in the last eight years.

COST ANALYSIS: Approval of these proposals may result in an additional direct cost for purchase of a drift gillnet for a private person to participate in this fishery. Approval of these proposals is not expected to result in an additional cost for the department.

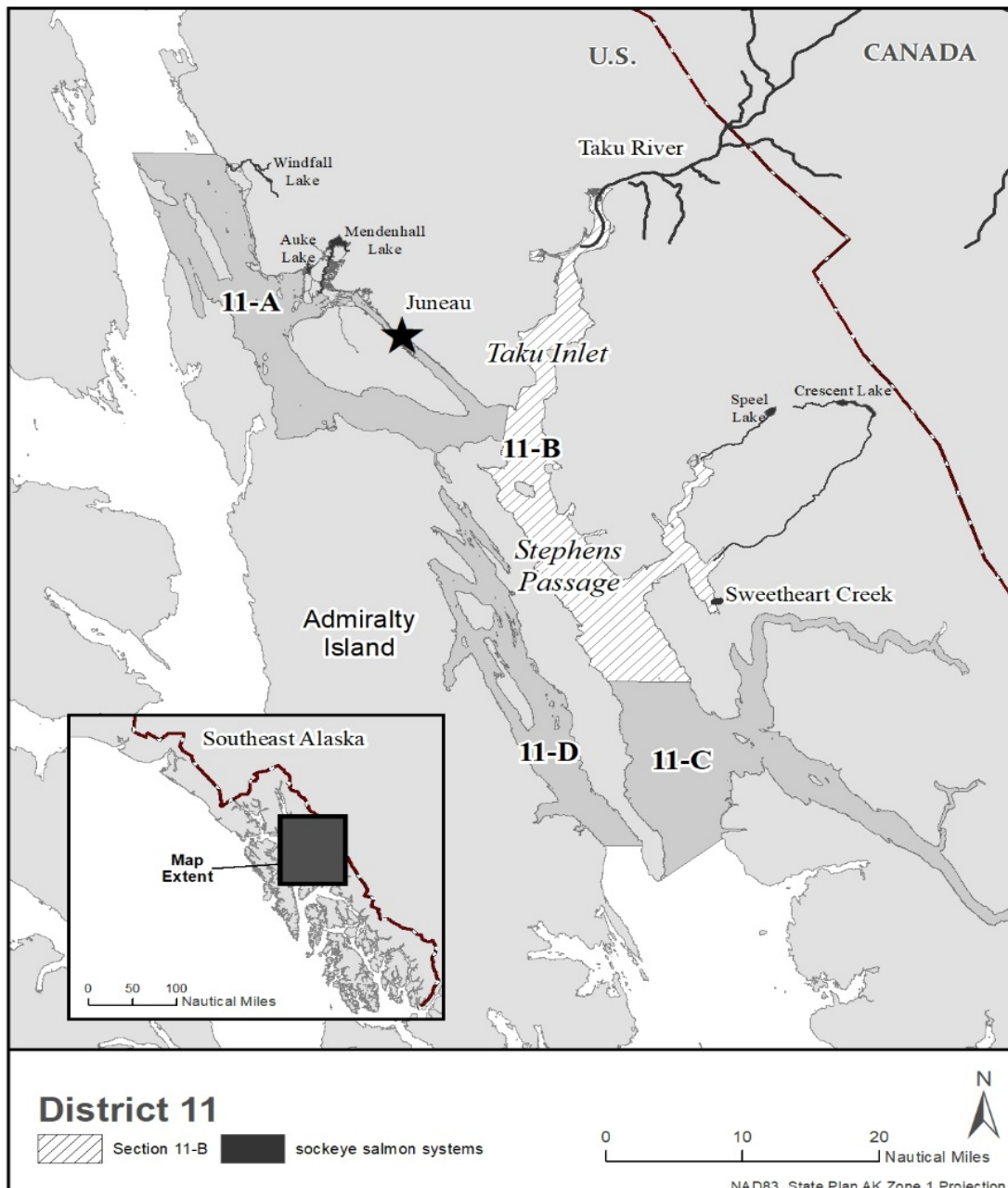


Figure 138-1.—District 11 boundaries, sections, and sockeye salmon systems.

PROPOSAL 142 – 5 AAC 77.678. Personal use smelt fishery.

PROPOSED BY: Ketchikan Indian Community.

WHAT WOULD THE PROPOSAL DO? This would establish daily possession limits and restrict the gear allowed for the personal use smelt fishery in the Ketchikan area.

WHAT ARE THE CURRENT REGULATIONS? Regulations in SEAK allow for commercial, personal use, and subsistence harvest of eulachon. There are no bag or possession limits or gear restrictions for the personal use smelt fishery in Southeast Alaska. In the Ketchikan Area, eulachon smelt are the only species of smelt that the board has established positive C&T findings for, in the waters of Section 1-C and Section 1-D and are managed under subsistence regulations. Eulachon smelt are also managed under commercial fishing regulations that allow limited harvest on the Stikine, Bradfield, Unuk, Chickamin, and Klahini rivers.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? There would be possession limits and gear restrictions on the personal use eulachon smelt fishery in the Ketchikan area (Figure 142-1).

BACKGROUND: There are four species of smelt commonly found in Southeast Alaska: Rainbow smelt, Surf smelt, Capelin, and Eulachon. Eulachon smelt (*Thaleichthys pacificus*), an anadromous species of smelt, is found along the Pacific coast of North America from northern California to Alaska. In Southeast Alaska, eulachon have been documented in over 40 streams. Eulachon are the primary species of smelt harvested in SEAK because their rich oil content is highly sought. Federal regulations allow for a subsistence fishery on federal public waters by users defined as rural residents of the Southeast and Yakutat areas.

Commercial fisheries have historically occurred on the Unuk and Stikine Rivers, both located in southern Southeast. Both commercial fisheries have been closed for many years. Commercial harvest in the southern portion of Southeast primarily occurred on the Unuk River by a small number of fishermen. The harvest was unique in that it was both a commercial fishery and a method to provide eulachon to residents in Ketchikan and Metlakatla. Weather and distance prevent most residents of these communities from harvesting the resource on the Unuk River. The department observed a decrease in commercial harvest and overall abundance of eulachon in the mid to late 1990s and closed the Unuk River to commercial harvest of eulachon in 2000 (Table 142-1). The primary harvesters immediately petitioned the USFS to open the Unuk River under federal regulations, which occurred in 2001 for federally recognized rural harvesters, under a permit with no harvest limit. The federally managed fishery closed in 2006 due to low abundance. This came after four seasons with limited harvest and no harvest in the 2005 season. In February of 2003, the board adopted a positive C&T finding for eulachon smelt in Section 1-C and 1-D, creating a state subsistence fishery for the fresh waters of the Unuk and Chickamin rivers that went into effect for the 2004 spring fishery. At the time, personal use regulations did not allow for fishermen to give eulachon to anyone outside of their immediate family. Creating a subsistence fishery allowed for the sharing of eulachon with non-harvesting households. After one year of no harvest, the Unuk River has been closed to the harvest of eulachon by EO since 2006.

The USFS and the department have worked in conjunction to close the Back Behm Canal and Unuk River areas to eulachon harvest beginning in 2006. In 2012, all of District 1 closed after eulachon were observed spawning in Carroll River on Revillagigedo Island in 2011. Eulachon had never been documented in this system prior to 2011. Recent eulachon returns have been sporadic in number and location. There continues to be concern about Unuk River eulachon after few fish were observed from 2006–2010, which is an entire life cycle. In 2011 and 2012 there was increased abundance with good distribution on the Unuk River before the observed abundance decreased again from 2013 to present. The last few years have seen fluctuations in eulachon abundance. In 2015, the return to the Unuk River was above average based on anecdotal evidence and limited USFS research. Recent unconfirmed reports of healthy eulachon returns to the Unuk River led the USFS to improve and increase monitoring beginning in 2018. This included on-site eulachon surveys that have included a mixture of walking, boat and snorkel surveys, and trail cameras. In 2018 and 2019 eulachon were observed but it was believed that the abundance was not large enough to allow harvest opportunity. In 2020, COVID-19 travel restrictions prevented detailed monitoring on the river and only limited aerial surveys occurred.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on restricting the personal use smelt fishery in the Ketchikan area. The smelt harvest is presumed to be small and the department does not have adequate information on the health of the smelt population in the Ketchikan area. However, the department believes the intent of the proposer is to specifically address the eulachon smelt fisheries. The department **SUPPORTS** the idea of establishing a small limit for eulachon smelt in the Ketchikan area in the personal use and subsistence fisheries. It is likely that commercial fisheries will not be allowed in the foreseeable future on these highly variable stocks; however, establishing a subsistence and personal use limit could allow for a limited fishery if several years of consistent returns are observed. The department would still have the authority to keep the subsistence and personal use fisheries closed. Additionally, since regulations provide for a federal subsistence fishery for eulachon on the Unuk River, the department would work closely with the USFS on the management of this stock. It is recognized that if the department were to open a subsistence fishery with a small possession limit for eulachon on the Unuk River, the USFS would be more inclined to create a similar possession limit. If the USFS could not implement a similar possession limit the department would not open the subsistence or personal use fishery. Additionally, the C&T finding for eulachon in 5AAC 01.716(a)(1)(A) may need to be clarified so that the positive C&T finding applies only to eulachon in the fresh waters of sections 1C and 1D (the marine waters are in the Ketchikan Nonsubsistence Area).

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal may result in additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a non-subsistence area? Portions of the stock occur in the marine waters of sections 1C and 1D, which are in the Ketchikan Nonsubsistence Area. The freshwater portions of where the eulachon stock occurs are not within the nonsubsistence area.

2. Is this stock customarily and traditionally taken or used for subsistence? Yes. The board has made a positive C&T finding under 5 AAC 01.716(a)(1)(A) for eulachon in the waters of Section 1-C and Section 1-D.
3. Can a portion of the stock be harvested consistent with sustained yield? Potentially in some years.
4. What amount is reasonably necessary for subsistence uses? The board has not made this determination.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 142-1.—Unuk River historical eulachon harvest, 1980–2005 (all fisheries were closed after 2005).

Year	Commercial Permits Issued	Commercial Permits Fished	Commercial Individual Allotment (lbs)	State PU/SUB Harvest	Federal Permits Issued	Federal Harvest	Total Pounds Harvested
1980	—	1	—	—	—	—	3,200
1981	—	2	—	—	—	—	8,000
1982	—	2	—	—	—	—	14,400
1983	—	3	—	—	—	—	16,746
1984	—	3	—	—	—	—	34,900
1985	—	2	—	—	—	—	15,000
1986	0	0	—	—	—	—	0
1987	0	0	—	—	—	—	0
1988	0	0	—	—	—	—	0
1989	0	0	—	—	—	—	0
1990	3	3	10,000	—	—	—	31,000
1991	3	3	—	—	—	—	20,800
1992	3	0	—	—	—	—	0
1993	4	3	—	—	—	—	27,000
1994	3	3	—	—	—	—	28,000
1995	4	4	—	—	—	—	19,700
1996	6	2	—	—	—	—	8,000
1997	4	4	—	—	—	—	15,000
1998	10	0	2,800	—	—	—	0
1999	10	5	2,500	—	—	—	10,200
2000	12	0	2,083	—	—	—	0
2001 ^a	0	0	—	700	Unknown	18,000	18,700
2002 ^a	0	0	—	350	3	4,300	4,650
2003 ^a	0	0	—	~4,500	4	14,060	~18,610
2004 ^a	0	0	—	100	3	1,500	1,600
2005 ^a	0	—	—	0	3	0	0

^a Commercial fishery was closed.

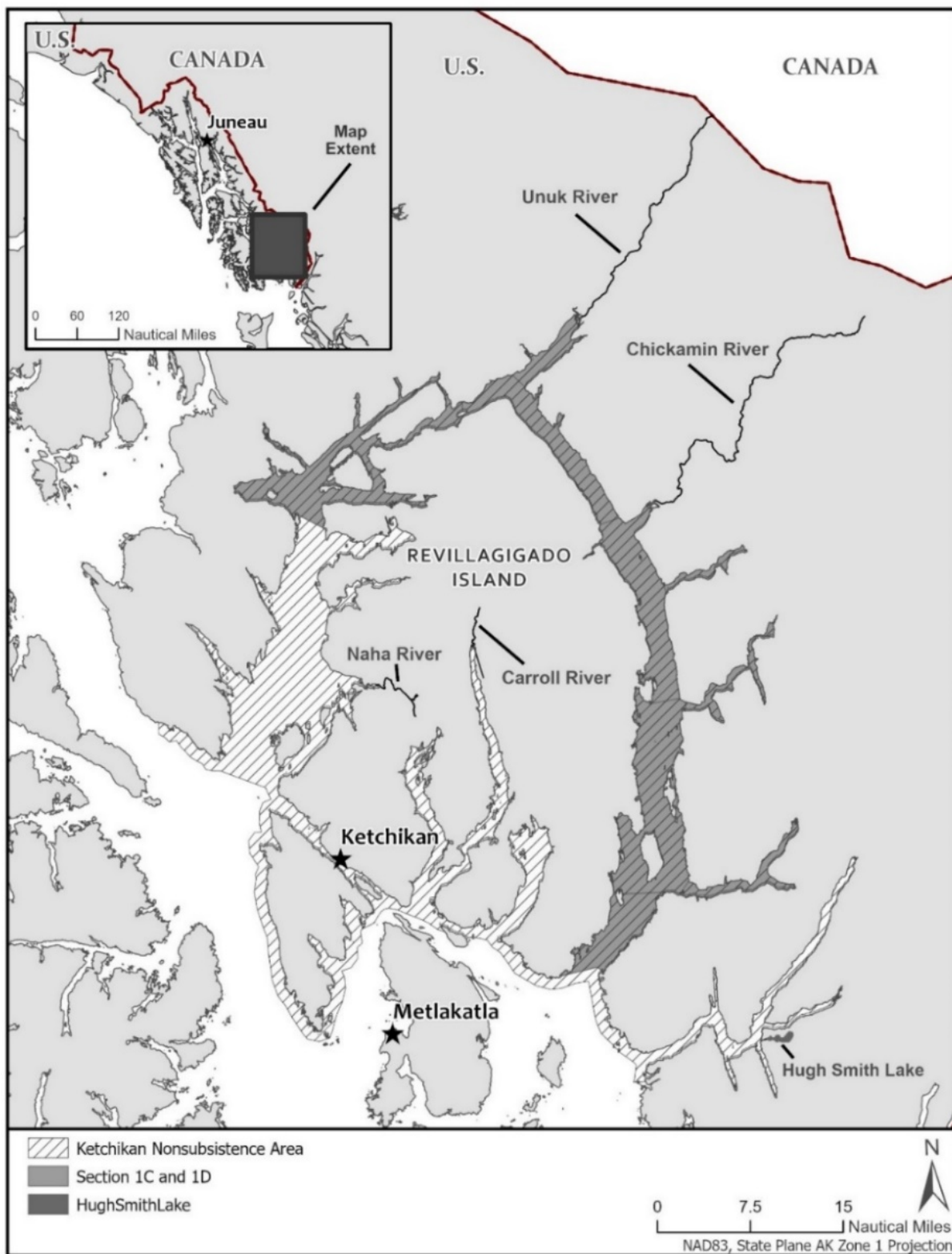


Figure 142-1.—Ketchikan Nonsubsistence Area and the Unuk River.

Sport

PROPOSAL 143 – 5 AAC 47.XXX. New Section.

PROPOSED BY: Southeast Subsistence Regional Advisory Council.

WHAT WOULD THE PROPOSAL DO? Require all nonresident sport anglers to complete and submit a logbook containing information on their harvest of finfish and shellfish when fishing in the waters of SEAK.

WHAT ARE THE CURRENT REGULATIONS? Currently nonresident anglers are required to record catch information for finfish with annual limits on their fishing license or a nontransferable harvest record card. Nonresidents report their annual shrimp harvest through a permit however they are not required to report their other catch or harvest. Logbooks which record harvest and effort by guided anglers fishing in saltwater are required to be completed by charter businesses or guides.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would require implementation of a new logbook system that would collect information currently collected by other department programs. The implementation of an additional system to monitor nonresident fishery would have a budgetary impact on the department due to the costs associated with producing logbooks, collection of the logbooks, and entering and analyzing the data.

BACKGROUND: The major department programs that provide information and estimates related to nonresident fisheries on a sustained basis include: (1) the Alaska Sport Fishing Survey, commonly called the Statewide Harvest Survey (SWHS), (2) the Statewide Saltwater Charter Logbook Program, and (3) the Southeast Alaska Marine Creel Survey. These programs were developed to gather information on a wide variety of species and are statewide or regional in scope. These programs collect information on all (resident and nonresident) fisheries. In addition to these major programs, there are occasional small-scale projects to collect specific information, for specific areas or dates.

There are multiple positive C&T findings for finfish and shellfish populations throughout Southeast Alaska, and many ANS findings. The ANS amounts have been met in all areas.

According to SWHS estimates, over the last nine years (2011-2019) resident anglers had on average 221,000 angler-days annually in SEAK. Over this same time frame, nonresidents had an average of 309,000 angler-days annually (Table 143-1). Of the nonresident days fished in SEAK, guided trips accounted for 42% of nonresident angler-days (Table 143-2). Nonresident unguided angler-days have remained stable averaging 165,600 ranging from 141,079 to 188,871 angler-days (Table 143-2).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. A nonresident logbook program would not be significantly cheaper, easier to implement in a timely manner, or provide more timely estimates than current programs. The department is currently evaluating the SWHS, and pending the results, is considering implementing some type of electronic reporting to decrease the time it takes to generate harvests estimates from SWHS data.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal would result in an additional unbudgeted cost to the department to implement a nonresident angler logbook program.

Table 143-1.—A comparison of resident and nonresident angler-days in SEAK, 2011–2019

Year	Nonresident Angler-days	Resident Angler-days
2011	267,563	180,044
2012	290,263	188,744
2013	306,656	239,394
2014	322,172	242,138
2015	347,017	247,473
2016	299,862	218,844
2017	316,113	241,982
2018	306,625	201,976
2019	326,045	229,457
Average 2011–2019	309,146	221,117

Table 143-2.—A breakdown of guided and unguided angler-days for nonresidents in SEAK between 2011–2019. These numbers exclude days fished for invertebrates which averaged a total of 22,000 days a year.

Year	Nonresident Angler-days		
	Guided	Unguided	Proportion of nonresident angler days that are guided
2011	109,222	141,079	43.6%
2012	113,571	155,055	42.3%
2013	118,884	162,254	42.3%
2014	127,952	175,958	42.1%
2015	130,951	188,871	40.9%
2016	115,563	164,540	41.3%
2017	126,186	170,695	42.5%
2018	132,535	153,667	46.3%
2019	121,855	178,220	40.6%
Average 2011–2019	121,858	165,593	42.4%

PROPOSAL 144 – 5 AAC 47.XXX. New Section.

PROPOSED BY: Sitka Fish & Game Advisory Committee.

WHAT WOULD THIS PROPOSALS DO? This would specifically require a “sport fishing rental vessel angler and/or operator” to obtain and complete a department logbook and would require the rental vessel operator to register rental vessels used for saltwater sport fishing in the SEAK Area. The information recorded in the logbook would be the name, address, telephone number, and residency of each rental vessel angler, as well as the angler’s saltwater sport fishing effort, location, catch, and harvest. The sport fishing rental vessel operator would be required to submit logbook information to the department.

WHAT ARE THE CURRENT REGULATIONS? There is no definition of a sport fishing rental vessel, rental vessel angler, or rental vessel operator. Anglers are required to record harvest information for finfish with annual limits on a nontransferable harvest record. Participants in the sport, personal use, and subsistence SEAK shrimp and king crab fisheries are required to record and report harvest and effort information on a harvest reporting form (permit) issued by the department. Logbooks are only required in the guided marine sport fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would require implementation of a new logbook system that would collect information currently collected by other department programs. The implementation of an additional system to monitor the rental vessel fishery would have an unbudgeted impact on the department due to the costs associated with producing logbooks, collection of the logbooks, and entering and analyzing the data.

Businesses that rent vessels used for saltwater sport fishing would be responsible for distributing logbooks to angler clients and for returning completed logbooks to the department by timelines yet to be defined. This would have little effect on the state sport fisheries management since management prescriptions set by the board are specific to residents and nonresidents or sport anglers as a whole, not guided or unguided anglers as in the federal management of halibut.

BACKGROUND: All Alaska businesses that provide guided sport fishing services in salt water are required to complete a logbook page for each trip with angler residency, effort, location, catch, and harvest data, and completed logbook pages must be submitted to the department weekly. The department uses the guided saltwater logbook data to monitor fishery impacts on fish stocks, including stocks with conservation concerns, such as king salmon and nonpelagic rockfish in recent years. An electronic logbook system that was fully implemented for SEAK in 2021 will make the logbook data available in a more timely manner than was possible through 2020 using mail-in returns and manual data entry methods.

The department provides halibut catch and harvest data from guided saltwater logbooks to federal halibut fishery managers. The IPHC, in consultation with the NPFMC, adopts halibut bag, possession, and length limits for guided and unguided anglers under the Catch Sharing Plan, and NOAA/NMFS administers those regulations. State of Alaska representatives on the NPFMC have a meaningful voice in regulation of federal fisheries in Alaska waters. At its December 2019 meeting, the NPFMC discussed an unguided halibut rental vessel registration system but took no action the agenda item.

During peak sport fishing months in SEAK, the department operates a marine harvest survey program that interviews all marine anglers, guided and unguided, resident and nonresident, as they return to dock facilities and samples their harvest by species. The department provides marine harvest survey data on halibut size and harvest to federal halibut fishery managers.

The department's Statewide Harvest Survey is an annual end of season survey mailed to a sample of all anglers with an Alaska sport fishing license. From the survey responses, the department estimates total sport fish catch and harvest in all salt and fresh waters of the state by all anglers, including guided/unguided and resident/nonresident categories. The department provides SWHS halibut harvest data to federal fishery managers. The stated intent of this proposal is to "quantify the harvest of sport fish by nonresident anglers fishing from resident vessels". The department believes the SWHS provides the data necessary to quantify the harvest of sport fish by nonresident anglers, including those fishing from rented vessels.

The department has a long history of utilizing emergency order authority in salt waters in response to indications of decreasing fish stocks, or where there are high levels of effort or harvest relative to stock abundance. The department has no authority over inseason regulations regarding the halibut sport fishery.

DEPARTMENT COMMENTS: The department **OPPOSES** the establishment of a new rental vessel registration and logbook system in the absence of a specific conservation concern or a management need. Also, the department does not have funding budgeted to cover this cost and would need new funding to implement it.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal would result in an additional unbudgeted cost to the department to implement an unguided rental vessel logbook program and would add an unknown implementation cost to vessel rental businesses.

PROPOSAL 277 – 5 AAC XX.XXX. New section.

PROPOSED BY: Sitka Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would require nonresident unguided anglers fishing from a rented vessel to comply with federal bag limits for halibut for guided anglers in either waters of Area 2C, or in the Sitka LAMP (Sitka Sound Local Area Management Plan).

WHAT ARE THE CURRENT REGULATIONS? Federal halibut regulations differentiate sport anglers by guided or unguided rather than by state residency. State regulations for halibut include 5 AAC 75.067, which prohibits persons from taking or possessing halibut for sport or guided sport fishing purposes in a manner inconsistent with the regulations of the International Pacific Halibut Commission or the National Marine Fisheries Service.

Under federal halibut regulations, guided anglers in area 2C are allowed one halibut within a reverse slot limit that is set annually. Unguided anglers are allowed two halibut of any size. Guided anglers may not retain halibut in the Sitka LAMP between June 1 and August 31.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce the halibut harvest by unguided, nonresident anglers that rent vessels in either area 2C or the Sitka LAMP by an unknown amount. The department does not collect data on unguided anglers about the type of vessel (rented or owned) used for sport fishing. This would create a deviation in nonresident halibut bag limits under state regulations from federal halibut regulations.

BACKGROUND: Halibut abundance is assessed by the International Pacific Halibut Commission which sets harvest strategies and catch limits. Within the United States, the North Pacific Fishery Management Council (NPFMC) allocates the halibut among users in Alaska while the National Marine Fisheries Service (NMFS) develops, implements, and enforces regulations. The State of Alaska participates in management through the ADF&G Commissioners seat on the NPFMC.

The Sitka LAMP was established in 1999 through the Sitka Sound Halibut Task Force and the North Pacific Fishery Management Council as an area specific resource management plan that addressed local concerns about conservation and allocation between user groups. The implementation of the Sitka LAMP area prohibited harvest of halibut by guided anglers during June 1 through August 31.

DEPARTMENT COMMENTS: The department and Board lack the authority to manage halibut. State regulations for halibut include 5 AAC 75.067, which prohibits persons from taking or possessing halibut for sport or guided sport fishing purposes in a manner inconsistent with the regulations of the International Pacific Halibut Commission or the National Marine Fisheries Service.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal may result in an additional cost to the department to implement a program to monitor rental sport fishing vessels.

PROPOSAL 145 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. and 5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Southeast Subsistence Regional Advisory Council.

WHAT WOULD THE PROPOSAL DO? Reduce nonresident bag and possession limits and establish nonresident annual limits for both sockeye and coho salmon in the salt and fresh waters of the SEAK region.

WHAT ARE THE CURRENT REGULATIONS? The SEAK regional bag and possession limits for both sockeye and coho salmon, 16 inches or greater in length, are six and 12 fish. There are no annual limits for sockeye and coho salmon in SEAK.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce sport harvest opportunity and harvest of both sockeye and coho salmon by nonresident anglers in SEAK. Immediately after landing a sockeye or coho salmon, nonresident anglers would be required to record the date and location of harvest, on their harvest record.

BACKGROUND: The department does not have management concerns for any coho, chum, or pink salmon stocks within SEAK other than the McDonald Lake sockeye salmon stock which is listed as a stock of concern and is being managed under the guidelines of a stock rebuilding action plan. Sockeye salmon at Hugh Smith Lake is not currently a stock of concern, but it has failed to meet the escapement goal in the last three years despite management actions that were taken in the commercial fisheries. No sport fishery restrictions have been taken at McDonald Lake or Hugh Smith Lake because sport harvest and effort are very low (Table 145-1).

Sockeye salmon are rarely targeted in the SEAK sport fishery outside of the Yakutat area and the total SEAK sport harvest represents less than 2% of the regional sockeye salmon harvest in all fisheries (Table 145-1). On average, nonresidents harvest 78% of sockeye salmon in the sport fishery (Table 145-2).

Coho salmon are commonly targeted throughout the SEAK sport fishery, and the sport harvest represents approximately 10% of the regional coho salmon harvest in all fisheries (Table 145-3). On average, nonresidents harvest 78% of coho salmon in the sport fishery (Table 145-2).

When there are management concerns, the department uses emergency order authority to limit or prohibit sport salmon harvest in response to indications of poor run strength or where there are high levels of effort or harvest relative to stock abundance. In other circumstances the board has adjusted bag/possession and annual limits case by case, in specific locations in the state, to account for what influence effort and other social considerations have on desired management goals.

Annual limits are typically established to further restrict specific fisheries when harvest cannot be contained to sustainable levels or stay within management targets through bag and possession limits.

There are multiple positive C&T findings for finfish populations throughout Southeast Alaska, and many ANS findings. The ANS amounts have been met in all areas.

DEPARTMENT COMMENTS: The department **OPPOSES** establishing regional annual limit and lower bag and possession limits for sport fisheries in the absence of meeting subsistence needs or a biological or management need.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 145-1.—Commercial, subsistence and personal use, and sport fishery harvest (fresh and salt water combined) of sockeye salmon in SEAK, 2010–2019.

Year	Fishery		
	Commercial	Subsistence and Personal Use	Sport
2010	720,926	42,250	12,494
2011	1,242,445	36,098	20,769
2012	947,219	43,867	15,025
2013	974,665	42,513	21,146
2014	1,669,932	38,019	19,013
2015	1,528,774	31,084	19,976
2016	1,505,984	38,365	15,990
2017	801,577	31,968	15,014
2018	636,924	43,524	11,504
2019	1,011,740	35,090	14,637
10-year Average	1,104,019	38,278	16,557

Table 145-2.—Ten-year average percentage of both sockeye and coho salmon harvest by residency and water-type, in the SEAK, 2010–2019.

		Management Area							Southeast Total
		Ketchikan	Prince of Wales	Petersburg/ Wrangell	Sitka	Juneau	Haines	Yakutat	
Sockeye	Resident	18%	24%	34%	47%	43%	42%	7%	22%
	Non-Resident	82%	76%	67%	53%	57%	58%	93%	78%
	Saltwater	93%	67%	75%	97%	74%	21%	4%	40%
	Freshwater	7%	33%	25%	3%	26%	79%	96%	60%
Coho	Resident	27%	14%	27%	14%	46%	27%	7%	22%
	Non-Resident	73%	86%	73%	86%	54%	73%	93%	78%
	Saltwater	99%	90%	86%	99%	95%	16%	34%	88%
	Freshwater	1%	10%	14%	1%	5%	84%	66%	12%

Table 145-3.—Commercial, subsistence and personal use, and sport fishery harvest of coho salmon (fresh and salt water combined) in the SEAK, 2010–2019.

Year	Coho Salmon Fishery		
	Commercial	Subsistence and Personal Use	Sport
2010	2,587,595	3,014	186,303
2011	2,311,332	2,605	235,857
2012	2,086,721	2,699	207,526
2013	3,877,145	3,124	339,585
2014	3,791,109	2,747	292,572
2015	2,163,943	2,552	302,553
2016	2,332,200	2,828	232,657
2017	2,884,538	1,934	331,387
2018	1,603,570	3,242	211,248
2019	1,717,764	2,160	236,780
10-year Average	2,535,592	2,691	257,647

PROPOSAL 146 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Ketchikan Indian Community.

WHAT WOULD THE PROPOSAL DO? Reduce the bag and possession limits for coho, sockeye, chum, and pink salmon 16 inches or longer in salt waters of SEAK to five of each species per day, 10 of each species in possession for nonresidents.

WHAT ARE THE CURRENT REGULATIONS? The SEAK regional bag and possession limits in salt water for coho, chum, sockeye, and pink salmon 16 inches or longer are six of each species per day, 12 of each species in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce sport harvest and harvest opportunity for coho, chum, sockeye, and pink salmon by nonresidents anglers in SEAK.

BACKGROUND: The department does not have management concerns for any coho, chum, or pink salmon stocks within SEAK except the McDonald Lake sockeye salmon stock which is listed as a stock of concern and is being managed under the guidelines of a stock rebuilding action plan. Sockeye salmon at Hugh Smith Lake is not currently a stock of concern, but it has failed to meet the escapement goal in the last three years despite management actions that were taken in the commercial fisheries. No sport fishery restrictions have been taken at McDonald Lake or Hugh Smith Lake because sport harvest and effort are very low (Table 146-1).

Sockeye salmon are rarely targeted in the SEAK saltwater sport fishery and the total SEAK sport harvest represents less than 2% of the regional sockeye salmon harvest in all fisheries (Tables 146-1 and 146-2). On average, nonresidents harvest 78% of sockeye salmon in the sport fishery (Table 146-3).

Coho salmon are commonly targeted in the SEAK saltwater sport fishery, and the total sport harvest represents approximately 10% of the regional coho salmon harvest in all fisheries (Tables 146-1 and 146-4). On average, nonresidents harvest 78% of coho salmon in the sport fishery (Table 146-3).

Both pink and chum salmon are also targeted in the SEAK saltwater sport fishery, and the total sport harvests represents less than 1% of the regional pink and chum salmon harvest in all fisheries (Tables 146-1, 146-5, and 146-6). On average, nonresidents harvest 83% of pink salmon and 79% of chum salmon in the sport fishery (Table 146-3).

When there are management concerns, the department uses emergency order authority to limit or prohibit sport salmon harvest in response to indications of poor run strength or where there are high levels of effort or harvest relative to stock abundance. In other circumstances the board has adjusted bag/possession and annual limits case by case, in specific locations in the state, to account for what influence effort and other social considerations have on desired management goals.

There are multiple positive C&T findings for finfish populations throughout Southeast Alaska, and many ANS findings. The ANS amounts have been met in all areas.

DEPARTMENT COMMENTS: The department **OPPOSES** establishing regional annual limit and lower bag and possession limits for sport fisheries in the absence of meeting subsistence needs or a biological or management need.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 146-1.—Statewide Harvest Survey estimates of harvest by sport anglers of sockeye, coho, pink, and chum salmon for salt waters in SEAK, 2010–2019.

Year	Salt Water			
	Coho	Pink	Chum	Sockeye
2010	160,830	53,512	7,436	3,942
2011	200,897	50,535	19,535	6,053
2012	179,874	49,900	8,514	6,142
2013	310,535	87,127	21,759	10,120
2014	259,887	46,861	8,933	5,861
2015	270,532	72,210	10,207	7,626
2016	204,946	75,161	8,557	7,049
2017	301,002	69,647	8,210	6,759
2018	183,340	44,249	4,491	5,209
2019	208,244	77,667	8,574	7,506
10-year average	228,009	62,687	10,622	6,627

Table 146-2.—Commercial, subsistence and personal use, and sport fishery harvest of sockeye salmon (fresh and salt water combined) in SEAK, 2010–2019.

Year	Sockeye Salmon Fishery		
	Commercial	Subsistence and Personal Use	Sport
2010	720,926	42,250	12,494
2011	1,242,445	36,098	20,769
2012	947,219	43,867	15,025
2013	974,665	42,513	21,146
2014	1,669,932	38,019	19,013
2015	1,528,774	31,084	19,976
2016	1,505,984	38,365	15,990
2017	801,577	31,968	15,014
2018	636,924	43,524	11,504
2019	1,011,740	35,090	14,637
10-year Average	1,104,019	38,278	16,557

Table 146-3.—Ten-year average percentage of sockeye, coho, pink, and chum salmon harvest by residency and water-type, in SEAK, 2010–2019.

		Management Area							Total
		Ketchikan	Prince of Wales	Petersburg/ Wrangell	Sitka	Juneau	Haines	Yakutat	
Sockeye	Resident	18%	24%	34%	47%	43%	42%	7%	22%
	Nonresident	82%	76%	67%	53%	57%	58%	93%	78%
	Saltwater	93%	67%	75%	97%	74%	21%	4%	40%
	Freshwater	7%	33%	25%	3%	26%	79%	96%	60%
Coho	Resident	27%	14%	27%	14%	46%	27%	7%	22%
	Nonresident	73%	86%	73%	86%	54%	73%	93%	78%
	Saltwater	99%	90%	86%	99%	95%	16%	34%	88%
	Freshwater	1%	10%	14%	1%	5%	84%	66%	12%
Pink	Resident	18%	8%	16%	32%	22%	16%	4%	17%
	Nonresident	82%	92%	84%	68%	78%	84%	88%	83%
	Saltwater	98%	79%	91%	98%	95%	33%	12%	88%
	Freshwater	2%	21%	9%	2%	5%	67%	88%	12%
Chum	Resident	99%	84%	91%	100%	98%	13%	72%	21%
	Nonresident	1%	16%	9%	0%	2%	87%	28%	79%
	Saltwater	14%	11%	21%	17%	30%	31%	0%	93%
	Freshwater	86%	89%	79%	83%	70%	69%	100%	7%

Table 146-4.—Commercial, subsistence and personal use, and sport fishery harvest of coho salmon (fresh and salt water combined) in SEAK, 2010–2019.

Coho Salmon Fishery			
Year	Commercial	Subsistence and Personal Use	Sport
2010	2,587,595	3,014	186,303
2011	2,311,332	2,605	235,857
2012	2,086,721	2,699	207,526
2013	3,877,145	3,124	339,585
2014	3,791,109	2,747	292,572
2015	2,163,943	2,552	302,553
2016	2,332,200	2,828	232,657
2017	2,884,538	1,934	331,387
2018	1,603,570	3,242	211,248
2019	1,717,764	2,160	236,780
10-year Average	2,535,592	2,691	257,647

Table 146-5.—Commercial, subsistence and personal use, and sport fishery harvest of pink salmon (fresh and salt water combined) in SEAK, 2010–2019.

Year	Pink Salmon Fishery		
	Commercial	Subsistence and Personal Use	Sport
2011	59,088,287	5,070	59,002
2012	21,304,390	2,406	56,501
2013	94,786,940	3,094	99,402
2014	37,194,633	2,041	50,743
2015	35,161,426	4,267	79,679
2016	18,395,997	3,026	83,373
2017	34,826,589	4,064	83,483
2018	8,096,778	1,446	51,368
2019	21,165,714	1,993	85,258
10-year Average	35,432,425	3,060	70,873

Table 146-6.—Commercial, subsistence and personal use, and sport fishery harvest of chum salmon (fresh and salt water combined) in SEAK, 2010–2019.

Year	Chum Salmon Fishery		
	Commercial	Subsistence and Personal Use	Sport
2011	10,730,140	1,059	20,843
2012	12,374,853	1,042	9,084
2013	12,573,032	1,215	22,737
2014	6,679,796	805	9,450
2015	11,627,334	968	10,930
2016	9,117,266	1,319	9,071
2017	11,430,306	840	9,386
2018	11,484,372	1,119	4,932
2019	9,369,771	865	9,347
10-year Average	10,486,280	1,003	11,382

PROPOSAL 147 – 5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Ketchikan Indian Community.

WHAT WOULD THE PROPOSAL DO? Reduce nonresident bag and possession limits for coho salmon in fresh waters of SEAK region between Cape Fairweather and Dixon Entrance.

WHAT ARE THE CURRENT REGULATIONS? The SEAK regional bag and possession limits for coho salmon, 16 inches or greater in length, are six and 12 fish.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce sport harvest opportunity and harvest of coho salmon by nonresident anglers in SEAK.

BACKGROUND: The department does not have management concerns for any coho salmon stocks within SEAK.

Coho salmon are targeted to a lesser degree in the SEAK freshwater sport fishery, with the Yakutat area accounting for the majority of harvest, but the total sport harvest represents approximately 10% of the regional coho salmon harvest in all fisheries (Tables 147-1 and 147-2). On average, nonresidents harvest 78% of coho salmon in the sport fishery (Table 147-3).

When there are management concerns, the department uses emergency order authority to limit or prohibit sport salmon harvest in response to indications of poor run strength or where there are high levels of effort or harvest relative to stock abundance. In other circumstances the board has adjusted bag/possession and annual limits case by case, in specific locations in the state, to account for what influence effort and other social considerations have on desired management goals.

There are multiple positive C&T findings for finfish populations throughout Southeast Alaska, and many ANS findings. The ANS amounts have been met in all areas.

DEPARTMENT COMMENTS: The department **OPPOSES** establishing regional annual limit and lower bag and possession limits for sport fisheries in the absence of meeting subsistence needs or a biological or management need.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 147-1—Commercial, subsistence and personal use, and sport fishery harvest of coho salmon (fresh and salt water combined) in SEAK, 2010–2019.

Year	Coho Salmon Fishery		
	Commercial	Subsistence and Personal Use	Sport
2010	2,587,595	3,014	186,303
2011	2,311,332	2,605	235,857
2012	2,086,721	2,699	207,526
2013	3,877,145	3,124	339,585
2014	3,791,109	2,747	292,572
2015	2,163,943	2,552	302,553
2016	2,332,200	2,828	232,657
2017	2,884,538	1,934	331,387
2018	1,603,570	3,242	211,248
2019	1,717,764	2,160	236,780
10-year Average	2,535,592	2,691	257,647

Table 147-2.—Statewide Harvest Survey estimates of the number of coho salmon harvested in fresh waters by sport anglers, by SEAK management area, 2010–2019.

Year	Management Area							Total
	Yakutat	Prince of Wales	Juneau	Haines	Petersburg/ Wrangell	Ketchikan	Sitka	
2010	14,171	4,183	2,554	1,017	2,219	815	514	25,473
2011	18,823	8,050	2,571	2,356	2,065	527	568	34,960
2012	13,978	7,371	2,626	1,055	1,050	1,036	536	27,652
2013	16,900	5,563	2,850	1,805	938	745	249	29,050
2014	19,444	6,792	3,185	1,474	1,303	398	89	32,685
2015	15,919	9,494	2,364	1,580	1,638	340	686	32,021
2016	14,277	7,186	2,916	1,049	1,306	651	326	27,711
2017	15,397	6,372	4,353	1,596	1,295	59	1,313	30,385
2018	15,115	6,317	2,340	1,836	946	660	694	27,908
2019	14,694	8,238	2,358	1,038	1,357	426	425	28,536
10-Year Average	15,872	6,957	2,812	1,481	1,412	566	540	29,638

Table 147-3.—Ten-year average percentage of coho salmon harvest by residency and water-type, in SEAK, 2010-2019.

	Management Area							Total
	Ketchikan	Prince of Wales	Petersburg/ Wrangell	Sitka	Juneau	Haines	Yakutat	
Coho	Resident	27%	14%	27%	14%	46%	27%	22%
	Nonresident	73%	86%	73%	86%	54%	73%	78%
	Saltwater	99%	90%	86%	99%	95%	16%	88%
	Freshwater	1%	10%	14%	1%	5%	84%	12%

PROPOSAL 148 – 5 AAC 47.022. General provisions for seasons and bag, possession, annual, and size limits for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Ketchikan Indian Community.

WHAT WOULD THE PROPOSAL DO? Reduce the bag and possession limits for sockeye, chum, and pink salmon 16 inches or longer in fresh waters of SEAK to five of each species per day, 10 of each species in possession for nonresidents.

WHAT ARE THE CURRENT REGULATIONS? The SEAK regional bag and possession limits in fresh water for chum, sockeye, and pink salmon 16 inches or longer are six of each species per day, 12 of each species in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce sport harvest and harvest opportunity for chum, sockeye, and pink salmon by nonresidents anglers in SEAK.

BACKGROUND: The department does not have management concerns for any chum or pink salmon stocks within SEAK. The McDonald Lake sockeye salmon stock is listed as a stock of concern and is being managed under the guidelines of a stock rebuilding action plan. Sockeye salmon at Hugh Smith Lake is not currently a stock of concern, but it has failed to meet the escapement goal in the last three years despite management actions that were taken in the commercial fisheries. No sport fishery restrictions have been taken at McDonald Lake or Hugh Smith Lake because sport harvest and effort are very low.

Sockeye salmon are rarely targeted in the SEAK freshwater sport fishery outside of the Yakutat area with the total SEAK sport harvest representing less than 2% of the regional sockeye salmon harvest in all fisheries (Tables 148-1 and 148-2,). On average, nonresidents harvest 78% of sockeye salmon in the sport fishery (Table 148-3).

Both pink and chum salmon are targeted to a lesser extent in the SEAK freshwater sport fishery, with total sport harvests of each species representing less than 1% of the regional pink and chum salmon harvest in all fisheries (Table 148-4, and 148-5). On average, nonresidents harvest 83% of pink salmon and 79% of chum salmon in the sport fishery (Table 148-3).

When there are management concerns, the department uses emergency order authority to limit or prohibit sport salmon harvest in response to indications of poor run strength or where there are high levels of effort or harvest relative to stock abundance. In other circumstances the board has adjusted bag/possession and annual limits case by case, in specific locations in the state, to account for what influence effort and other social considerations have on desired management goals.

There are multiple positive C&T findings for finfish populations throughout Southeast Alaska, and many ANS findings. The ANS amounts have been met in all areas.

DEPARTMENT COMMENTS: The department **OPPOSES** establishing regional annual limit and lower bag and possession limits for sport fisheries in the absence of meeting subsistence needs or a biological or management need.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 148-1.–Statewide Harvest Survey estimates of harvest by sport anglers of sockeye, pink, and chum salmon for fresh waters in the SEAK Region, 2010–2019.

Year	Fresh Water		
	Sockeye	Pink	Chum
2010	8,552	6,408	600
2011	14,716	8,467	1,308
2012	8,883	6,601	570
2013	11,026	12,275	978
2014	13,152	3,882	517
2015	12,350	7,469	723
2016	8,941	8,212	514
2017	8,255	13,836	1,176
2018	6,295	7,119	441
2019	7,131	7,591	773
10-year average	9,930	8,186	760

Table 148-2.–Commercial, subsistence and personal use, and sport fishery harvest of sockeye salmon (fresh and salt water combined) in the SEAK Region, 2010–2019.

Year	Sockeye Salmon Fishery		
	Commercial	Subsistence and Personal Use	Sport
2010	720,926	42,250	12,494
2011	1,242,445	36,098	20,769
2012	947,219	43,867	15,025
2013	974,665	42,513	21,146
2014	1,669,932	38,019	19,013
2015	1,528,774	31,084	19,976
2016	1,505,984	38,365	15,990
2017	801,577	31,968	15,014
2018	636,924	43,524	11,504
2019	1,011,740	35,090	14,637
10-year Average	1,104,019	38,278	16,557

Table 148-3.—Ten-year average percentage of sockeye, pink, and chum salmon harvest by residency and water-type, in the SEAK management areas, 2010–2019.

		Management Area							Total
		Ketchikan	Prince of Wales	Petersburg/ Wrangell	Sitka	Juneau	Haines	Yakutat	
Sockeye	Resident	18%	24%	34%	47%	43%	42%	7%	22%
	Nonresident	82%	76%	67%	53%	57%	58%	93%	78%
	Saltwater	93%	67%	75%	97%	74%	21%	4%	40%
	Freshwater	7%	33%	25%	3%	26%	79%	96%	60%
Pink	Resident	18%	8%	16%	32%	22%	16%	4%	17%
	Nonresident	82%	92%	84%	68%	78%	84%	88%	83%
	Saltwater	98%	79%	91%	98%	95%	33%	12%	88%
	Freshwater	2%	21%	9%	2%	5%	67%	88%	12%
Chum	Resident	99%	84%	91%	100%	98%	13%	72%	21%
	Nonresident	1%	16%	9%	0%	2%	87%	28%	79%
	Saltwater	14%	11%	21%	17%	30%	31%	0%	93%
	Freshwater	86%	89%	79%	83%	70%	69%	100%	7%

Table 148-4.—Commercial, subsistence and personal use, and sport fishery harvest of pink salmon (fresh and salt water combined) in the SEAK Region, 2010–2019.

Pink Salmon Fishery			
Year	Commercial	Subsistence and Personal Use	Sport
2011	59,088,287	5,070	59,002
2012	21,304,390	2,406	56,501
2013	94,786,940	3,094	99,402
2014	37,194,633	2,041	50,743
2015	35,161,426	4,267	79,679
2016	18,395,997	3,026	83,373
2017	34,826,589	4,064	83,483
2018	8,096,778	1,446	51,368
2019	21,165,714	1,993	85,258
10-year Average	35,432,425	3,060	70,873

Table 148-5.—Commercial, subsistence and personal use, and sport fishery harvest of chum salmon (fresh and salt water combined) in the SEAK Region, 2010–2019.

Year	Chum Salmon Fishery		
	Commercial	Subsistence and Personal Use	Sport
2011	10,730,140	1,059	20,843
2012	12,374,853	1,042	9,084
2013	12,573,032	1,215	22,737
2014	6,679,796	805	9,450
2015	11,627,334	968	10,930
2016	9,117,266	1,319	9,071
2017	11,430,306	840	9,386
2018	11,484,372	1,119	4,932
2019	9,369,771	865	9,347
10-year Average	10,486,280	1,003	11,382

PROPOSAL 149 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would lower the coho salmon bag and possession limit in a section of Puget Cove in the Yakutat management area to 2 fish per day and 2 in possession.

WHAT ARE THE CURRENT REGULATIONS? Current regulations for Puget Cove follow regional regulations for all salt waters of SEAK allowing 6 coho salmon per day and 12 in possession.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would align Puget Cove coho salmon bag and possession limits with other easily accessible bodies of water near the Yakutat Road system. Sport fishing effort and coho salmon harvest in Puget Cove would likely decrease.

BACKGROUND: In recent years, more fishing effort has occurred in this relatively easily accessible location due to its proximity to the Yakutat boat harbor and a large sport fishing lodge (Figure 149-1). Currently the coho salmon bag and possession limits for Puget Cove are less conservative than other saltwater bodies close to the Yakutat road system, causing angler effort to focus on this small, easily accessible stretch of water with small headwater anadromous streams.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Given the small size of the headwater streams and the accessibility from the Yakutat road system, more conservative bag and possession limits are needed to protect the sustainability of these small coho salmon populations.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

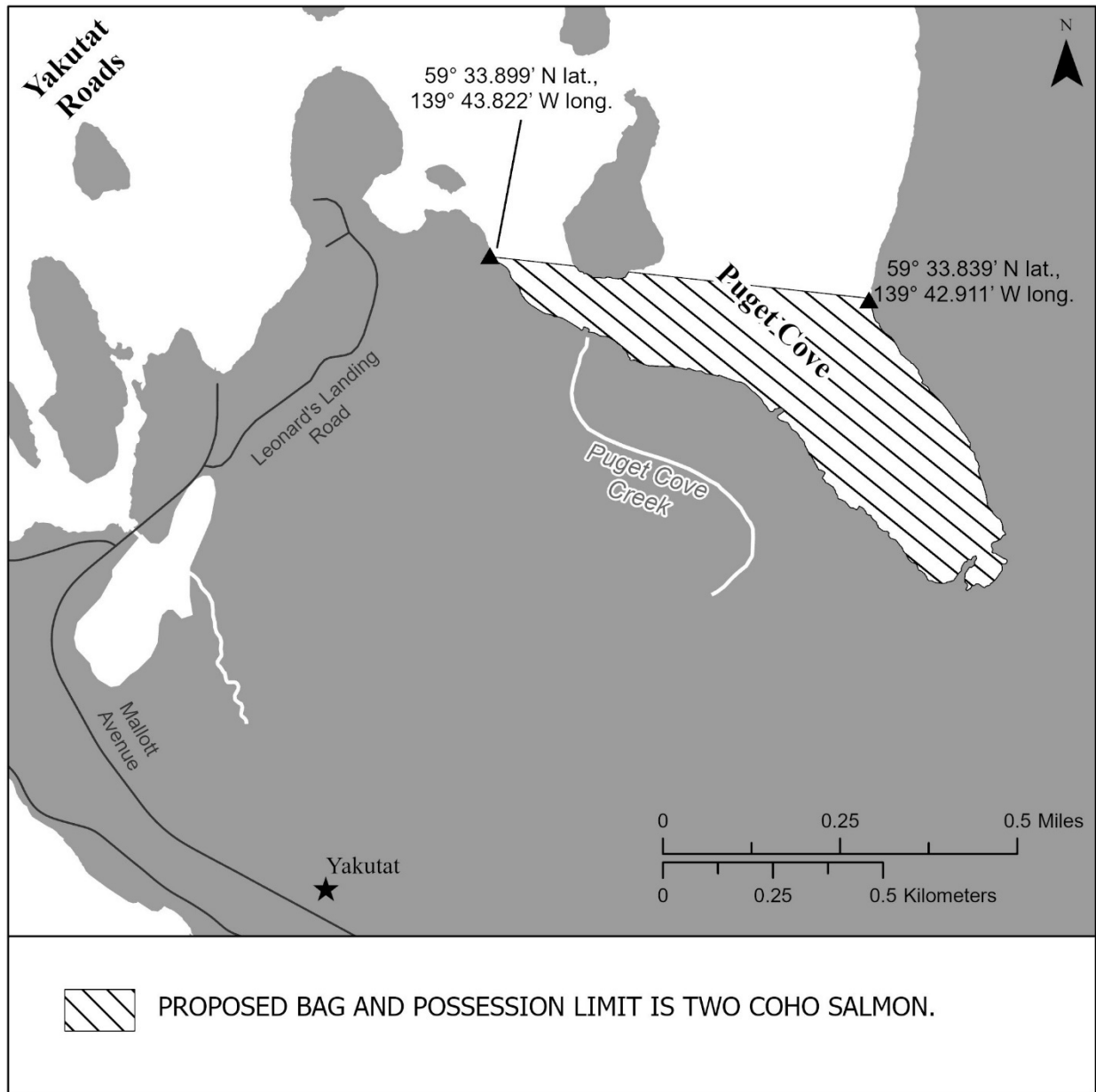


Figure 149-1.—Map of Puget Cove and proposed boundary area for proposal 149.

PROPOSAL 150 – 5 AAC 47.023. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the fresh waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would repeal the Juneau roadside sport fishing regulations for trout in the freshwaters of Crystal, Glacier, and Moraine Lakes in the Dredge Lakes area. The proposed regulation change would allow bag and possession limits for rainbow trout to be increased to 5 fish, no size limit, and for cutthroat trout to be 2 fish, 14–22 inches in length.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow bag and possession limits of 2 cutthroat and rainbow trout (in combination), 14–22 inches in size. Only unbaited, artificial lures may be used to take fish from these lakes; this artificial lure regulation would not change.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Increase harvest opportunity and harvest of hatchery-reared, stocked rainbow trout in Crystal, Dredge, and Moraine Lakes.

BACKGROUND: Beginning in 2010, after hearing from members of the public that it was important to have a safe place for anglers, particularly youth anglers, to fish near their homes in the Mendenhall Valley, the department began stocking three lakes in the area (Crystal, Glacier and Moraine) with catchable-sized king salmon. Feedback after the stockings in 2012, 2013, and 2014 were positive due to an increase in catch rates. The department, in cooperation with DIPAC hatchery, has since switched to stocking catchable-sized, sterile, triploid rainbow trout in Crystal, Glacier and Moraine Lakes. These lakes are prone to winter kill due to low oxygen levels, and the triploid rainbow trout have a better chance of survival and growth than the previously stocked king salmon.

In 2019, about 1,500 rainbow trout were stocked into the three lakes (500 in each lake); all fish were less than 14 inches in length. Removing the slot limit and increasing the bag limit would allow greater harvest opportunity of stocked rainbow trout in Crystal, Glacier and Moraine Lakes. Although a few more wild rainbow trout and cutthroat trout could also be harvested, repeated sampling each year from 2017–2019 indicated that there were few wild trout present.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 151 – 5 AAC 47.023. Special provisions for season, bag, possession, annual, and size limits, and methods and means for the freshwaters of the Southeast Alaska Area.

PROPOSED BY: Steve Petty.

WHAT WOULD THE PROPOSAL DO? Prohibit guided sport fishing on the Salmon River near Gustavus.

WHAT ARE THE CURRENT REGULATIONS? The Salmon River is currently open to sport fishing for all licensed anglers including guided and unguided sport anglers. Current regulations are the regionwide limits for all species.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would only allow unguided anglers to fish the Salmon River. There may be some reduction in harvest of sport-caught fish species and overall fishing effort. Unguided resident or nonresident anglers would not be able to employ a guide while fishing the Salmon River but would not be prevented from fishing without a guide.

BACKGROUND: The freshwater logbook program ended in 2018, but logbook entries indicate that for the years 2011–2018, a single guide operated on the Salmon River each year in 2016, 2017 and 2018. Since there were fewer than three guides working each season, logbook information is confidential for each year. Continued guiding on the Salmon River by one guide is known to have occurred in 2019 and 2020, and coho salmon are known to have been caught.

A department foot survey for coho salmon was completed on the Salmon River in 2010. A total of 2,231 coho salmon were counted, with roughly 1,000 fish counted in the more easily accessed lower river.

There is a positive C&T finding for salmon in the waters of Section 14B (Gustavus area), and an ANS for salmon in all of District 14 of 600–1,500 salmon. The ANS has been met.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Subsistence needs are being met and there are no conservation concerns regarding Salmon River coho salmon.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 152 – 5 AAC 47.023. Special provisions for season, bag, possession, annual, and size limits, and methods and means for the freshwaters of the Southeast Alaska Area.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Waters 300 feet from the upstream start and 300 feet from the downstream end of a partial barrier falls on 108 Creek (Big Creek) would be closed to all sport fishing.

WHAT ARE THE CURRENT REGULATIONS? Current regulations are the regionwide limits for all species except steelhead trout may not be retained. Only unbaited, artificial lures may be used. There are no closed waters in the drainage.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce the area open to anglers sport fishing the fresh waters of 108 Creek. Mortality and stress on migrating salmon may be reduced since fewer fish will be caught and released as they concentrate near the falls.

BACKGROUND: A partial barrier falls exists approximately 3 miles upstream from Whale Passage, just downstream of Cavern Lake. 108 Creek supports a sport fishery for pink, summer and fall run coho salmon, steelhead, Dolly Varden, cutthroat and rainbow trout. Due to the low number of annual respondents to the SWHS, it is not possible to produce an accurate estimate of harvest or catch for 108 Creek. However, the low response rate indicates that fishing effort has been low, and presumably harvest and catch of sport targeted species is minimal. Coho salmon escapement surveys occur annually in a section of the creek downstream of the falls with a recent 10-year average count of 87 fish. The Anadromous Stream Catalog documents Dolly Varden, coho, and sockeye salmon above the falls.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. There are no conservation concerns regarding fish species and angling effort appears stable for 108 Creek.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 153 – 5 AAC 47.023. Special provisions for season, bag, possession, annual, and size limits, and methods and means for the freshwaters of the Southeast Alaska Area.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Waters 300 feet from the upstream start and 300 feet from the downstream end of a partial barrier falls on Logjam Creek of the Sweetwater Lake drainage would be closed to all sport fishing.

WHAT ARE THE CURRENT REGULATIONS? Current regulations are the regionwide limits for all species except for the following exceptions for the Sweetwater Lake drainage: steelhead may not be possessed or retained; cutthroat and rainbow trout must be between 14 and 22 inches in length; and the bag and possession limit for sockeye salmon is three per day, six in possession. Only unbaited, artificial lures may be used. There are no closed waters in Logjam Creek, but Hatchery Creek of the Sweetwater Lake drainage is closed to sport fishing 100 feet upstream of the upper falls and 100 feet downstream of the lower falls.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce the area open to anglers' sport fishing the fresh waters of Logjam Creek. Mortality and stress on migrating salmon may be reduced since fewer fish will be caught and released as they concentrate near the falls.

BACKGROUND: A partial barrier falls exists approximately 2.5 miles upstream from Sweetwater Lake. Logjam Creek supports a sport fishery for pink, summer and fall run coho salmon, steelhead, Dolly Varden, cutthroat and rainbow trout. Due to the low number of annual respondents to the SWHS, it is not possible to produce an accurate estimate of harvest or catch for Logjam Creek. However, the low response rate indicates that fishing effort has been low, and presumably harvest and catch of sport targeted species is minimal. No salmon escapement surveys occur on the drainage. The Anadromous Stream Catalog documents coho salmon, Dolly Varden and cutthroat trout above the falls.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. There are no conservation concerns regarding fish species and angling effort appears stable for Logjam Creek.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 154 – 5 AAC 47.030. Methods, means, and general provisions – Finfish

PROPOSED BY: George Lewis.

WHAT WOULD THE PROPOSAL DO? This would open all waters of SEAK to sport fishing with a bow and arrow.

WHAT ARE THE CURRENT REGULATIONS? Bow and arrow is not a legal gear type for sport fishing in SEAK.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would provide a new means of take in the sport fishery regionwide. This could increase harvest, particularly in freshwater systems where cover for fish is limited. This may create safety concerns in areas where anglers are concentrated.

BACKGROUND: The use of bow and arrow in Alaska has been allowed only for species with no bag limits or with liberal harvest limits (i.e., whitefish, suckers, burbot, or northern pike). The use of bow and arrow for taking salmon has not been allowed in Alaska. Taking a fish with a bow and arrow generally does not allow for an accurate length measurement to be taken or definitive species identification before taking or injuring a fish, or for nonlegal fish to be released alive. This may be an issue for species such as steelhead and other trout that have length restrictions. Due to the nature of the gear, most bowfishing will take place in freshwater systems and at stream mouths where fish have less concealment and can be easily viewed.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department has concerns with establishing archery gear as legal methods and means for taking of fish, because it is a lethal gear type. The identification of fish species may also be an issue; for example, an angler would not be able to release a misidentified fish species taken by arrow. The department anticipates that the use of bow and arrow would lead to safety concerns in locations where fish concentrations attract groups of people in relatively small or confined areas. The effect of a new gear type over an entire region may have unanticipated consequences.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 155 – 5 AAC 47.036. Prohibitions.

PROPOSED BY: Stephen Mathews.

WHAT WOULD THE PROPOSAL DO? This would prohibit the removal of salmon from the water before releasing the fish, when nonretention regulations apply. This proposal would also prohibit the use of a multiple hook in freshwater and saltwater.

WHAT ARE THE CURRENT REGULATIONS? There are no regulations prohibiting the removal of salmon from fresh or salt water prior to releasing it in SEAK.

Under statewide regulations, anglers may use a single line having attached to it not more than one plug, spoon, spinner, or series of spinners, or two flies, or two hooks. There are no regionwide hook size restrictions in saltwater. In freshwater, fish may not be taken by means of fixed or weighted hooks and lures, or multiple hooks with a gap between point and shank larger than one-half inch except that only single hooks may be used in the Situk River drainage.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? All anglers fishing in SEAK would only be allowed to use single point hooks. Manufactured multiple (treble) hooks would need to be modified by the angler or replaced with a single point hook. Anglers that bring fish onboard or on the shoreline to unhook fish before release would need to develop new strategies when nonretention regulations apply. Mortality may be decreased by an unknown amount by not removing a salmon from the water that must be released.

BACKGROUND: The department engages in various education and outreach efforts to reduce unintended mortality by promoting best practices when releasing fish. Education of best practices for both freshwater and saltwater fishing includes recommendations on tackle choices, hook removal, and proper handling, landing, and photographing.

Multiple studies have documented the mortality of released fish is largely dependent on hook placement and fish handling, not on hook type. These studies indicate the use of fishing practices (such as the use of bait) that facilitate ingestion and deeper hook placement causing a higher mortality rate than hook type choices, such as treble, single, circle, and or barbless. To reduce resident species release mortality in SEAK freshwater fisheries, the use of bait is prohibited for 10 months, allowing for a two-month period during the fall coho salmon season when bait may be used in some systems. For king salmon, the department applies a release mortality estimate of 16% recommended by the Chinook Technical Committee of the Pacific Salmon Commission. This estimate is applied when calculating the harvest of king salmon and is factored into management decisions.

In SEAK the department has prohibited removal of specific species from the water when the fishery is closed for that species by emergency order for conservation purposes. In management areas outside of SEAK there are regulations prohibiting the removal of salmon from the water unless intended to retain the fish as part of the bag limit.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on prohibiting the removal of salmon species from the water during periods of nonretention. The department **OPPOSES** prohibiting the use of multiple hooks in SEAK without a biological need. A restriction to single

hooks will reduce saltwater sport fishing efficiency yet provide no conservation benefit. There are many saltwater salmon sport fisheries that traditionally use treble hooks on lures, jigs, or snagging gear. As an example, people seeking to catch salmon in terminal and shoreline areas, including hatchery terminal areas with excess fish, would be restricted to single hook.

COST ANALYSIS: The adoption of this proposal will result in an increased cost for a private person to participate in this fishery because existing gear would have to be modified by the angler to replace treble hooks. New fishing tackle would also have to be modified to meet this regulatory change as many fishing lures come with barbed treble hooks. Approval of this proposal is not expected to result in an additional cost to the department.

COMMITTEE OF THE WHOLE – GROUP 5: HERRING (15 proposals – Chair TBD)

Herring (15 Proposals)

PROPOSAL 156 – 5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area.

PROPOSED BY: Sitka Tribe of Alaska.

WHAT WOULD THE PROPOSAL DO? As written, the proposal's intent is not clear as to whether it seeks to change the Sitka Sound herring harvest rate strategy to mimic the rest of Southeast Alaska herring stocks, or to change it to the formula provided in the proposal. Assuming the latter, the minimum harvest rate of Sitka Sound herring would be reduced from 12% to 10.5% and it would increase the forecasted mature biomass needed to realize the maximum harvest rate of 20%, resulting in a sliding scale harvest rate, relative to its threshold, that is more similar to other Southeast Alaska herring stocks.

WHAT ARE THE CURRENT REGULATIONS? Sitka Sound is the only Southeast Alaska herring fishery area that has a sliding harvest rate formula in regulation. The guideline harvest level shall be established by the department and will be a harvest rate of not less than 12%, nor more than 20% of the forecast mature biomass, and within that range shall be determined by the following formula:

$$\text{Harvest Rate Percentage} = 2 + 8 \left(\frac{\text{Spawning Biomass (in tons)}}{20,000} \right).$$

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

For all other herring fisheries in Southeast Alaska, regulations provide that the department shall establish minimum spawning biomass thresholds below which fishing will not be allowed and may allow a harvest of herring at an exploitation rate between 10% and 20% of the estimated spawning biomass when that biomass is above the minimum threshold level.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Commercial harvest opportunity for the Sitka Sound commercial sac roe herring fishery would be reduced. Based on recent years, it is expected that proposed GHs would be about 75% of those calculated with the current formula (Tables 156-1, 156-2, Figures 156-1, 156-2). By reducing the commercial GH, herring that would be unharvested by the commercial fishery may benefit other species as prey or user groups by an unknown extent. Under the proposed harvest rate strategy, the maximum harvest rate of 20% would only be realized at biomass forecasts that are 120,000 tons or greater, which may make achieving the maximum harvest rate a rare occurrence.

BACKGROUND: The combined sliding-scale and threshold harvest rate strategy was first implemented in Sitka Sound in 1983 with a threshold of 7,500 tons and a sliding scale that was identical to that currently used for all other herring stocks in Southeast Alaska and requested in this proposal. In 1998, a 20,000-ton threshold was set based on an estimated proportion of average

unfished biomass. This threshold exceeded that recommended by the best scientific information at the time (25% of unfished biomass was recommended by best scientific information, 20,000 tons was 30% of unfished biomass) and a steeper sliding scale was adopted so that a 20% harvest rate would be reached at the same forecasted biomass as under the previously applied Southeast Alaska sliding scale. While the threshold-based harvest rate strategy adopted in 1998 was more conservative than the 1983 harvest rate strategy, the steeper sliding scale adopted by the board was a way to lessen the sudden loss of commercial harvest potential that the new threshold created. In 2009, the threshold was increased to 25,000 tons (37% of unfished biomass) due to subsistence concerns and the sliding scale remained the same, resulting in a harvest rate of 12% when the stock was at or above the threshold. Because the threshold was increased, the result of the change was a more conservative approach, because no harvest was allowed when the stock was between 20,000 and 24,999 tons, whereas previously a harvest rate of 10–12% had been allowed.

The maximum harvest rate allowed under the harvest rate strategy used for Sitka Sound and all other Southeast Alaska herring stocks is comparable to most other herring fisheries in Alaska and along the west coast of North America, although lower maximum harvest rates are applied in some areas where herring stock biomass is low (Table 156-3). Sitka Sound's harvest rate strategy has been considered conservative not only because an analysis determined that a fixed 20% harvest rate was sustainable at any stock level that is above a threshold based on 25% of unfished biomass but reducing the harvest rate on a sliding scale to 12% as the stock neared the threshold is an extra precaution. In addition, the threshold is set above 25% of unfished biomass (currently at 37% of unfished biomass). However, estimates of unfished biomass (and hence the threshold) in Sitka Sound has not been updated with new data since 1998. While this does not necessarily mean that the estimate of unfished biomass will change when the analysis is updated, it is worth re-evaluating and this work is currently in progress.

The Sitka Sound herring stock has been the largest and most stable stock in the region for decades. Using a sliding scale harvest rate that reaches the maximum harvest rate before a stock reaches estimated average unfished biomass is the scientifically recommended method for both herring and other fisheries. Other herring stocks in the region are of lower biomass. Most of these stocks are managed with thresholds that were not established based on the statistical analysis that was used for Sitka Sound, creating more uncertainty around whether the thresholds are set at appropriate levels and at what biomass the maximum harvest rate should be reached. Applying the proposed more gradually sloped sliding scale to Sitka Sound would mean that the harvest rate would start at 10.5% at threshold and the maximum harvest rate of 20% would only be achieved if the population reaches 4.8 times its threshold (or 180% of estimated average unfished biomass, which was estimated at about 66,800 tons). If the proposed harvest rate had been applied to all years since the threshold-harvest rate strategy was adopted in 1983, the 20% harvest rate would have been achieved in only three years: 2012, 2020, and 2021.

Herring populations in Southeast Alaska have experienced periods of stability, increase, and decrease under the current harvest rate strategies, and under similar harvest rates. For instance, the mature biomass in Sitka Sound was stable from 1980 to 1994 under an average realized harvest rate (i.e., exploitation rate, not target) of 15%; increased from 1995 to 2009 under an exploitation rate of 14%; and decreased from 2010 through 2018 under an exploitation rate of 15%. The average exploitation rates among these time periods were nearly the same, making it unlikely that commercial harvests were responsible for the population growth and decrease, and more likely

that changing environmental conditions had a greater impact. In general, herring can sustain higher harvest rates than longer lived, slower maturing species like sablefish or lingcod because their more frequent recruitment and short lifespans allow populations to rebound more quickly when stocks are at low levels. However, precaution is necessary because environmental influences can force populations to lower stock size equilibria prematurely and more frequently when there is harvest pressure, and also because of potential consequences to the ecosystem and importance to users of the resource when herring populations are relatively low. As herring serve as an important link in marine food webs, the Sitka Sound threshold is designed to protect herring if the population declines to a low stock size and allow the population to rebound more quickly. The sliding scale harvest rate is designed to reduce harvest rates incrementally if the population drops below 66% of average unfished biomass while allowing the harvest rate to reach 20% if the population is greater. Current allowable harvest rates implicitly account for predation of herring by fish, marine mammals, and birds, because they were based on models that included average natural mortality of herring over time, meaning that all natural mortality of herring was factored into the analysis. Under the current harvest rate strategy, Sitka Sound herring have reached the greatest biomass since the State began management in 1960.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The current harvest rate strategy is based on the best scientific information available for Sitka Sound and contains conservation provisions that are beneficial to herring populations and the ecosystem.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 156-1.—Established GHGs compared to proposed GHGs, with estimated exvessel value in the Sitka Sound commercial sac roe herring fishery, 2001–2020. (Dashes indicate values not applicable.)

Year	Forecast Biomass (tons)	Harvest rate by formula in regulation	GHG by formula in regulation	Actual Target HR ^a	Actual GHG (tons)	Actual Harvest (tons)	Price \$/ton	Potential Exvessel Value Based on Actual GHG and price (\$US)	Proposed harvest rate	Proposed GHG (tons)	Proposed potential ex-vessel value (tons)	Proposed potential difference in ex-vessel value (\$US)	Proposed percent of current GHG by formula
2001	52,985	20.0%	10,597	20.0%	10,597	11,972	484	5,128,980	13.3%	7,046	3,410,396	-2,384,052	66%
2002	55,209	20.0%	11,042	20.0%	11,042	9,789	454	5,012,971	13.5%	7,465	3,388,992	-1,055,214	68%
2003	39,319	17.7%	6,959	17.7%	6,970	7,051	454	3,159,569	11.9%	4,691	2,129,918	-1,071,236	67%
2004	53,088	20.0%	10,618	20.0%	10,618	10,492	492	5,223,874	13.3%	7,065	3,476,178	-1,685,886	67%
2005	55,962	20.0%	11,192	20.0%	11,192	11,366	538	6,021,554	13.6%	7,609	4,093,525	-2,021,383	68%
2006	52,059	20.0%	10,412	20.0%	10,412	9,967	264	2,748,725	13.2%	6,875	1,814,972	-816,316	66%
2007	59,519	20.0%	11,904	20.0%	11,904	11,571	493	5,868,600	14.0%	8,304	4,093,914	-1,610,589	70%
2008	87,715	20.0%	17,543	16.8%	14,723	14,386	620	10,876,660	16.8%	14,711	9,120,895	-201,575	84%
2009	72,521	20.0%	14,504	20.0%	14,508	14,755	860	12,473,612	15.3%	11,061	9,512,439	-3,176,861	76%
2010	91,467	20.0%	18,293	20.0%	18,293	17,602	690	12,622,446	17.1%	15,684	10,821,665	-1,323,998	86%
2011	97,449	20.0%	19,490	20.0%	19,490	19,419	266	5,184,287	17.7%	17,292	4,599,733	-565,780	89%
2012	144,143	20.0%	28,829	20.0%	28,829	13,232	630	18,162,018	20.0%	28,829	18,162,018	9,825,858	100%
2013	76,988	20.0%	15,398	15.0%	11,549	5,688	780	12,010,128	15.7%	12,086	9,427,230	4,990,590	78%
2014	81,663	20.0%	16,333	20.0%	16,333	16,957	180	2,939,868	16.2%	13,202	2,376,339	-675,921	81%
2015	44,237	19.7%	8,715	19.7%	8,712	8,756	250	2,178,672	12.4%	5,496	1,373,968	-815,032	63%
2016	74,707	20.0%	14,941	20.0%	14,941	9,769	250	3,735,350	15.5%	11,558	2,889,424	447,174	77%
2017	73,245	20.0%	14,649	20.0%	14,649	13,923	308	4,511,892	15.3%	11,224	3,457,124	-831,160	77%
2018	55,637	20.0%	11,127	20.0%	11,128	2,926	343	3,816,698	13.6%	7,546	2,588,427	1,584,809	68%
2019	64,343	20.0%	12,869	20.0%	12,869	0	N/A	0	14.4%	9,287	N/A	N/A	72%
2020	212,330	20.0%	42,466	12.2%	25,824	0	N/A	0	20.0%	42,466	N/A	N/A	100%
Avg 2001–20	77,229	20%	15,394	19%	14,229	10,481	418	6,083,795	15%	12,475	4,836,858	-49,171	76%
Total 2001–20	--	--	307,881	--	284,583	209,622	8,356	121,675,904	--	249,498	96,737,158	-983,420	--

^a Differs from harvest rate by formula in regulation when decrements were made to GHG as conservative measures to buffer against uncertainty.

Table 156-2.—Current and proposed harvest rate scenarios for herring in Sitka Sound for a range of forecast biomass values.

Sitka Forecast Biomass (tons)	Current harvest rate	Current harvest rate GHL (tons)	Proposed harvest rate	Proposed GHL (tons)	Proposed harvest rate, difference from current	Proposed GHL difference from current
15,000	—	—	—	—	—	—
20,000	—	—	—	—	—	—
25,000	12.0%	3,000	10.5%	2,625	-1.5%	-375
30,000	14.0%	4,200	11.0%	3,300	-3.0%	-900
35,000	16.0%	5,600	11.5%	4,025	-4.5%	-1,575
40,000	18.0%	7,200	12.0%	4,800	-6.0%	-2,400
45,000	20.0%	9,000	12.5%	5,625	-7.5%	-3,375
50,000	20.0%	10,000	13.0%	6,500	-7.0%	-3,500
55,000	20.0%	11,000	13.5%	7,425	-6.5%	-3,575
60,000	20.0%	12,000	14.0%	8,400	-6.0%	-3,600
65,000	20.0%	13,000	14.5%	9,425	-5.5%	-3,575
70,000	20.0%	14,000	15.0%	10,500	-5.0%	-3,500
75,000	20.0%	15,000	15.5%	11,625	-4.5%	-3,375
80,000	20.0%	16,000	16.0%	12,800	-4.0%	-3,200
85,000	20.0%	17,000	16.5%	14,025	-3.5%	-2,975
90,000	20.0%	18,000	17.0%	15,300	-3.0%	-2,700
95,000	20.0%	19,000	17.5%	16,625	-2.5%	-2,375
100,000	20.0%	20,000	18.0%	18,000	-2.0%	-2,000
105,000	20.0%	21,000	18.5%	19,425	-1.5%	-1,575
110,000	20.0%	22,000	19.0%	20,900	-1.0%	-1,100
115,000	20.0%	23,000	19.5%	22,425	-0.5%	-575
120,000	20.0%	24,000	20.0%	24,000	0.0%	0
125,000	20.0%	25,000	20.0%	25,000	0.0%	0
130,000	20.0%	26,000	20.0%	26,000	0.0%	0
135,000	20.0%	27,000	20.0%	27,000	0.0%	0
140,000	20.0%	28,000	20.0%	28,000	0.0%	0
145,000	20.0%	29,000	20.0%	29,000	0.0%	0
150,000	20.0%	30,000	20.0%	30,000	0.0%	0
155,000	20.0%	31,000	20.0%	31,000	0.0%	0
160,000	20.0%	32,000	20.0%	32,000	0.0%	0

Table 156-3.—Harvest rates for Pacific herring fisheries in Alaska and other regions.

Area	Allowable maximum harvest rate of spawning biomass	Minimum fishery threshold as % of estimated unfished spawning biomass (B_0)	Comments
Bering Sea / AYK stocks	20% for six stocks, 15% for one	unknown	Fixed harvest rate, depending on stock, when above threshold; Nelson Island subtracts 200 tons specifically for subsistence.
Bristol Bay (Togiak)	20%	17% (approx.)	Fixed harvest rate when above threshold.
Bristol Bay (Port Moller/Port Heiden)	20%	unknown	Harvest rate sliding scale 10–20% when above 1,000-ton minimum biomass threshold.
Kodiak	10%	none	10% maximum of the biomass observed in the prior year; adjusted down based on age composition or biomass level.
Lower Cook Inlet (Kamishak Bay)	15%	25%	Harvest rate stepwise scale.
Prince William Sound	20%	25%	Harvest rate sliding scale when stock above threshold.
Sitka Sound	20 %	37%	Harvest rate sliding scale 12–20%, when stock above threshold.
Southeast Alaska (except Sitka Sound)	20%	unknown for most, but two areas are 25% and 40%	Harvest rate sliding scale 10–20%, when stocks above threshold.
British Columbia	0-20%	$\geq 30\%$	Harvest rate set depending on stock productivity or biomass.
Washington (Puget Sound)	10% for most stocks, 0% for low biomass stocks	none	10% harvest limit of spawning biomass estimate, but most of harvest is on juveniles for sport bait.
California (San Francisco Bay)	10%	15-19%	Harvest rate sliding scale 5–10% when above 15,000 ton cutoff (threshold); quota capped at 3,000 tons when above 2x cutoff.

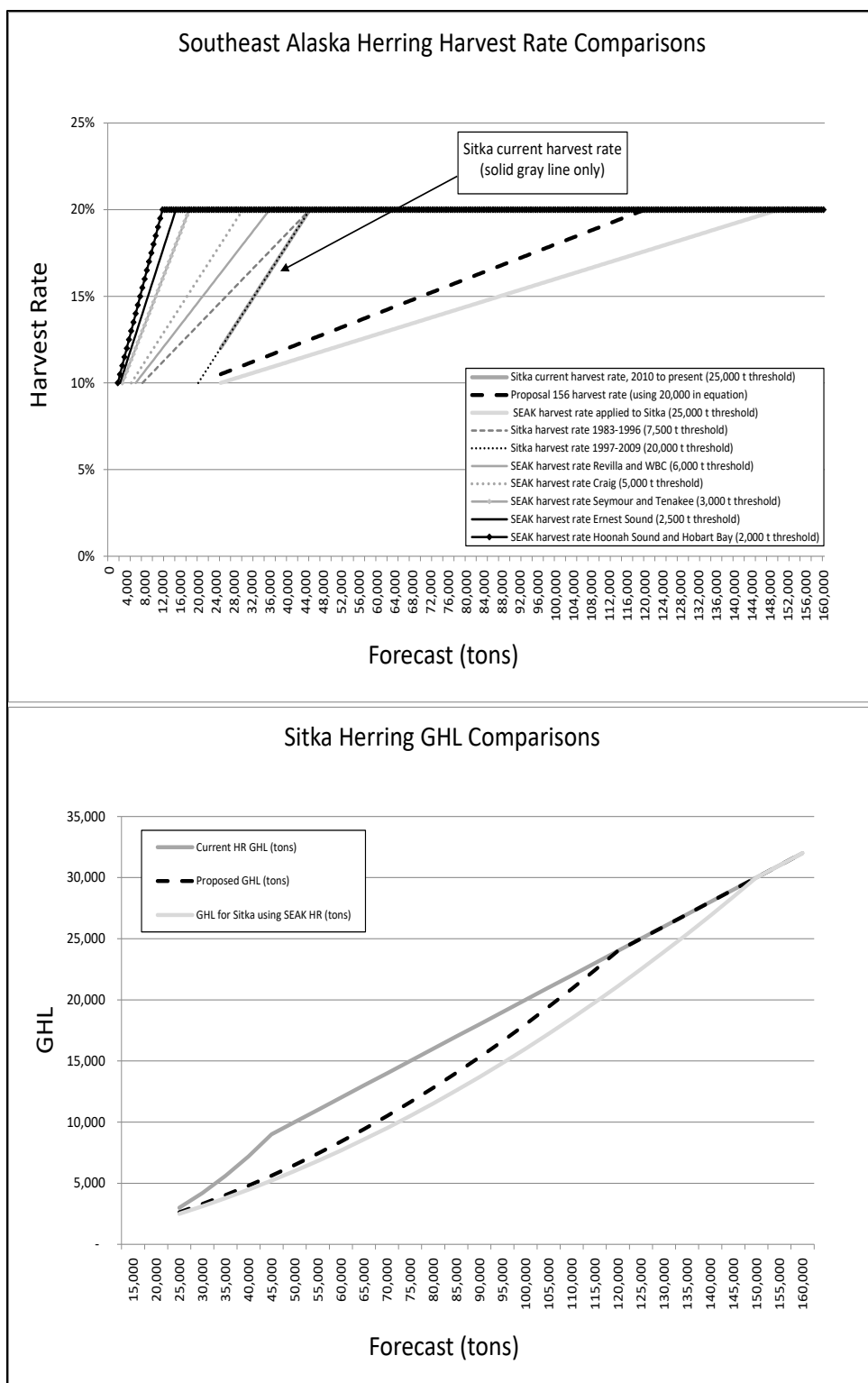


Figure 156-1.—Current and proposed harvest rates and GHLs relative to forecast biomass for Sitka Sound, compared to the Southeast Alaska harvest rate strategy applied to Sitka Sound with the current 25,000 ton threshold.

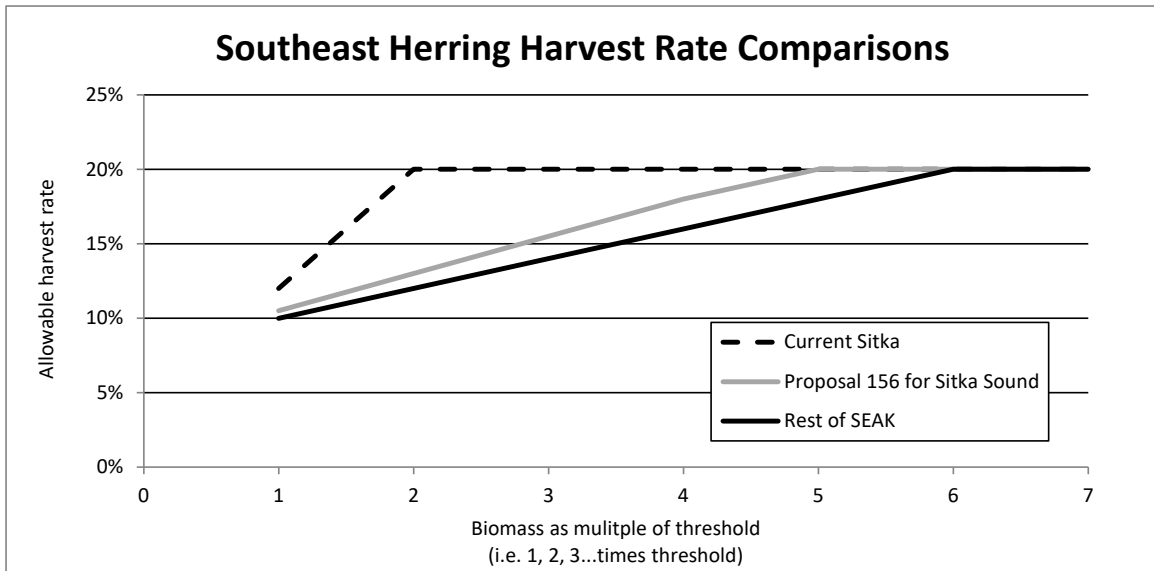


Figure 156-2.—Current and proposed harvest rates relative to thresholds for Sitka and Southeast Alaska herring stocks.

PROPOSAL 157 – 5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area.

PROPOSED BY: Sitka Tribe of Alaska.

WHAT WOULD THE PROPOSAL DO? This would modify how the GHL is calculated for the Sitka Sound commercial sac roe herring fishery by 1) segregating the forecasted spawning biomass by “young” fish (age 3 and age 4) and “old” fish (\geq age 5); 2) calculating a GHL for “young” and “old” fish separately based on a formula similar to what is currently in regulation; and 3) finding the total GHL by summing the GHLs for both “young” and “old” fish.

A selectivity correction factor of 0.5 would be applied to the GHL calculation for “young” fish. This correction factor would be allowed to change if selectivity patterns change for “young” fish.

WHAT ARE THE CURRENT REGULATIONS? Sitka Sound is the only Southeast Alaska herring fishery area that has a sliding harvest rate formula in regulation. The guideline harvest level shall be established by the department and will be a harvest rate of not less than 12%, nor more than 20% of the forecast mature biomass, and within that range shall be determined by the following formula:

$$\text{Harvest Rate Percentage} = 2 + 8 \left(\frac{\text{Spawning Biomass (in tons)}}{20,000} \right).$$

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

For all other herring fisheries in Southeast Alaska, regulations provide that the department shall establish minimum spawning biomass thresholds below which fishing will not be allowed and may allow a harvest of herring at an exploitation rate between 10% and 20% of the estimated spawning biomass when that biomass is above the minimum threshold level.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would directly reduce commercial harvest opportunity for the Sitka Sound commercial sac roe herring fishery. It is expected that proposed GHLs would be on average 85% of those calculated with the current formula (Table 157-1). Additionally, on average an additional 2% of the mature herring biomass would not be harvested by the commercial fishery (Table 157-1). A reduction in commercial harvest may benefit other species or user groups by an unknown extent. Except for reducing the overall GHL, the inseason management of the fishery would not change. Additionally, calculating the GHL as proposed would only reduce the overall harvest rate, but would not necessarily change the age composition of the harvest in the fishery.

BACKGROUND: The current harvest rate strategy allows for a maximum total harvest rate of 20% of the mature population. This harvest rate was based on modeling of herring populations in Alaska subjected to harvest by various gear including purse seines and was intended for application to the entire mature population, including all age classes. The analysis used simulations to explore responses of herring populations to various harvest rate and threshold combinations, and recommended optimal combinations to maintain abundance and yield, while minimizing time below threshold. The 20% maximum harvest rate was not intended to be applied to individual age classes.

All age and size classes of herring are important to the population. It has not been shown that the selectivity of the purse seine fishery in Sitka Sound results in fewer old fish over time than would a fishery that was more selective for young fish. While a higher effective harvest rate on old fish (due to selectivity) removes more old fish from the population in a particular year, a higher effective harvest rate on young fish would reduce the number of fish reaching older ages in future years. Therefore, there is no current evidence that selectivity of the Sitka Sound purse seine fishery will result in a truncated age composition or a population with fewer old fish over time. In fact, there are a higher percent of older fish in the population during the last 20 years, than there were in early days of commercial fishing. While arguments have been made for protecting older fish, because they are more fecund (though this is largely accounted for by managing for biomass not abundance), their larger egg size may offer a survival advantage to offspring, and they may lead younger fish to spawning grounds, arguments have also been made for protecting younger fish to allow them to spawn for multiple years (i.e., prevent growth overfishing), which can result in reduced population productivity and lower biomass levels over time.

Variable exploitation among age classes was implicitly accounted for in the modeling that formed the basis of the maximum harvest rate for Sitka Sound herring, because purse seine selectivity was used in the analysis. As a result, harvest rates that exceed 20% for an individual age class likely do not present a high risk to a population if the overall harvest rate on the population does not exceed 20% on average. Over the last 20 years the average exploitation rate of herring by age has not exceeded 20% for any age class (Table 157-2; average by age ranges from 9% for age-3 to 17% for age-8+) and the average overall exploitation rate of the population did not exceed 20% (14%; Table 157-2). While there is individual variation in exploitation rates among years due to variability in forecasting, such variation is expected. Because the original analysis showed a wide range of harvest rate and threshold combinations were appropriate, neither exceeding 20% exploitation of the entire mature population by a small degree in any given year, nor exceeding 20% exploitation of any given year class for any given year, is expected to create high risk. Consequently, a 20% exploitation rate over all age classes is considered a precautionary maximum and the exploitation of Sitka herring has been considerably lower than this maximum (14%; Table 157-2).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The proposal offers a complicated plan to reduce the overall harvest rate. The current harvest rate strategy already accounts for varying exploitation rates between the different age classes.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 157-1.—Established GHGs compared to proposed GHGs, with estimated exvessel value in the Sitka Sound commercial sac roe herring fishery, 2011–2020.

Year	Actual forecast biomass (tons)	Actual GHL (tons)	Actual Target HR ^a	Approximate exvessel value based on actual harvest (\$US)	Forecast biomass age-3&4	Forecast biomass age-5+	Pro- posed GHL age-3&4	Pro- posed GHL age-5+	Pro- posed GHL total	Differ- ence in GHL (Proposed –Actual)	Pro- posed GHL as percent of actual	Pro- posed total target HR	Additional percent population un- harvested
2011	97,449	19,490	20.0%	\$5,165,513	14,617	82,832	1,462	16,567	18,028	-1,462	93%	18.5%	1.5%
2012	144,143	28,829	20.0%	\$8,336,160	39,571	104,571	3,957	20,915	24,872	-3,957	86%	17.3%	2.7%
2013	76,988	11,549	15.0%	\$4,436,640	17,039	59,948	1,704	8,993	10,697	-852	93%	17.8%	-2.8%
2014	81,663	16,333	20.0%	\$3,052,260	24,287	57,375	2,429	11,475	13,904	-2,429	85%	17.0%	3.0%
2015	44,237	8,712	19.7%	\$2,189,000	4,545	39,692	448	7,817	8,264	-448	95%	19.0%	0.7%
2016	74,707	14,941	20.0%	\$2,458,250	46,937	27,770	4,694	5,554	10,247	-4,694	69%	13.7%	6.3%
2017	73,245	14,649	20.0%	\$4,288,284	6,257	66,988	626	13,398	14,023	-626	96%	19.1%	0.9%
2018	55,637	11,128	20.0%	\$1,003,618	26,611	29,026	2,661	5,805	8,467	-2,661	76%	15.2%	4.8%
2019	64,343	12,869	20.0%	–	30,096	34,247	3,010	6,850	9,859	-3,010	77%	15.3%	4.7%
2020	212,330	25,824	12.2%	–	169,857	42,474	16,986	5,166	22,151	-3,673	86%	12.0%	0.2%
Average													
2011–2020	92,474	16,432	19.00%	\$3,092,972	37,982	54,492	3,798	10,254	14,051	-2,381	85%	16.5%	2.2%
Total													
2011–2020	–	164,324	–	\$30,929,725	379,818	544,922	37,975	102,538	140,513	-23,811	–	–	–

^a Precautionary decrements were made in 2013 and 2020, which affect proposed scenarios for those years and should be interpreted accordingly.

Table 157-2.—Exploitation by age (based on biomass) for Sitka Sound herring, 2001–2020. No fisheries took place in 2019 or 2020 (dashes indicate values not applicable).

Year	Age 3	Age 4	Age 5	Age 6	Age 7	Age 8+	Total
2001	13%	15%	21%	23%	23%	23%	18%
2002	10%	12%	17%	18%	18%	18%	15%
2003	6%	7%	9%	10%	10%	10%	8%
2004	7%	8%	11%	12%	13%	13%	10%
2005	7%	9%	12%	13%	14%	14%	12%
2006	8%	9%	12%	14%	14%	14%	12%
2007	9%	11%	15%	17%	17%	17%	14%
2008	10%	11%	16%	17%	18%	18%	14%
2009	8%	10%	14%	15%	15%	15%	13%
2010	10%	12%	16%	18%	18%	18%	16%
2011	11%	13%	18%	20%	20%	20%	18%
2012	10%	12%	17%	18%	19%	19%	17%
2013	5%	5%	8%	8%	8%	8%	8%
2014	15%	17%	24%	26%	26%	26%	24%
2015	9%	11%	15%	17%	17%	17%	14%
2016	10%	12%	17%	18%	18%	18%	14%
2017	14%	17%	23%	25%	26%	26%	22%
2018	4%	4%	6%	6%	7%	7%	5%
2019	—	—	—	—	—	—	—
2020	—	—	—	—	—	—	—
Average 2001–2018	9%	11%	15%	16%	17%	17%	14%

PROPOSAL 158 – 5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area.

PROPOSED BY: Sitka Tribe of Alaska.

WHAT WOULD THE PROPOSAL DO? The Sitka Sound commercial sac roe herring fishery would not be conducted if the proportion of herring age 5 and older compose less than or equal to 20% of the total spawning biomass. This proportion of age-5 fish and older would be determined through test fishing or preseason bait fishing completed by February 28 in Section 13-B.

WHAT ARE THE CURRENT REGULATIONS? Sitka Sound is the only Southeast Alaska herring fishery area that has a sliding harvest rate formula in regulation. The guideline harvest level shall be established by the department and will be a harvest rate of not less than 12%, nor more than 20% of the forecast mature biomass, and within that range shall be determined by the following formula:

$$\text{Harvest Rate Percentage} = 2 + 8 \left(\frac{\text{Spawning Biomass (in tons)}}{20,000} \right).$$

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

There is currently no winter bait herring fishery in Section 13-B.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would directly reduce opportunity in the commercial fishery by closing it during years when the proportion of age-5+ fish is less than or equal to 20%; this would be in effect even during years of high biomass estimates (i.e., 2019 and 2020). Using the proposed criterion, from 1980–2020 the fishery would have been closed six times or about 15% of years, with an average annual exvessel value loss of about \$1.9 million (Table 158-1). Additionally, this would require the department to collect herring samples prior to February 28 either through a winter bait fishery or a test fishery in Section 13-B.

BACKGROUND: The stated goal of this proposal is to ensure there is a minimum of relatively older fish in the population. Without older, larger fish in the population, the proposal states that the spatiotemporal distribution of spawn has shifted and resulted in the inability of subsistence harvesters to meet their needs. However, the number of older and larger fish, defined in the proposal as ages 5 and greater, have increased since 1996 (Figure 158-1). The proposal aims to protect low numbers of age-5+ herring by closing the fishery when the proportion of age-5+ fish is less than or equal to 0.2. However, low proportions of age-5+ fish do not necessarily correspond to low numbers of age-5+ fish and vice versa.

Low proportions of age-5+ herring are almost always due to high recruitment pulses, not low numbers of age-5+ fish. Large and unexpected recruitment pulses are typical of herring populations. This is because cohort abundance is largely driven by survival of larval herring, which depends heavily on the environmental conditions they experience during this critical period and if plankton production is matched with hatching timing. Successful recruitment of individual herring cohorts is generally considered to be influenced more by the environment than the number or biomass of age-5+ herring.

There have been six years since 1980 when the proportion of age-5+ herring in the population has been less than 20% (Table 158-1). This usually occurred following very high recruitment of age-3 herring in the preceding year. The consequential lower percent of age-5+ herring was due to a large influx of young fish, rather than simply a decline of age-5+ fish (Table 158-1). By closing the fishery based on the proportion of age-5+ fish, fishery closures would have occurred for some years when the abundance of age-5+ fish was relatively low (e.g., 62 million fish in 1996), but also when the abundance was relatively high (e.g., 286 million fish in 2020). If the proposal was applied to past years (1980–2020), there would have been numerous years when the fishery was not closed, yet the number of age-5+ herring was well below the number of age-5+ herring when the fishery was closed (Figure 158-1). As a result, the proposed change to the regulations (to close the fishery based on a proportion of older fish) would not address the stated concern (to ensure there is a minimum number of older fish in the population).

Because herring form schools of mixed sizes and ages, and purse seine gear captures schools in part or entirely, the gear itself has low ability to select for larger and older fish. However, the fishery has some ability to choose fishery areas with larger average size herring through sampling of test sets and permit holders have some leeway to choose to retain a set made during a fishery based on samples to determine roe quality and fish size. While the commercial fishing industry may aim to target a specific size of herring, their ability to do so, due to mixed age schools and the relatively low selectivity of the purse seine gear, is limited.

Traditional knowledge supports the idea that younger fish follow older fish to spawning locations in Sitka Sound. Western science has considered this possibility but evidence across global populations of Atlantic and Pacific herring is inconclusive. Over the past several decades, low proportions of older herring do not appear to correspond well with large shifts in spawning locations in the Sitka Sound area. It is difficult to define what constitutes a “shift” in spawning area, because spawning locations routinely occur throughout the area in any given year. However, when the largest, most abrupt changes in spawning shoreline between years are observed, they appear to more often occur when the proportion of older (age-5+) herring in the population is high. When the proportion of age-5+ herring is low (20% or less), there have been less discernable changes in spawning shoreline. During the spawning seasons of 2018, 2019 and 2020, there was an apparent higher use of the Kruzof Island shoreline; however, this began in 2018 when the proportion of age-5+ herring was relatively high at 49%. The reason for apparent higher use of Kruzof Island for spawning in recent years, especially 2020, is unknown and is outside historical patterns.

The department determines age composition of the spawning herring population through sampling of spawning fish throughout the area and time of spawning. Obtaining samples representative of the entire spawning population is important for reliable estimates of age composition. Although the department has in the past collected samples from winter test fisheries to determine mean weight of herring, the spatial and temporal distribution of catches during these fisheries are very limited and are not expected to provide representative samples for accurately determining age composition. A large-scale sampling program would have to be initiated to obtain useful samples for determining age composition expected during the ensuing spawning season.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal because the department does not currently have the resources to conduct extensive sampling operations during

the timeframe indicated by the proposal. Additionally, if sampling during this time within Sitka Sound was possible, it would not be expected to be representative of the entire spawning population, due to mixing of mature and immature fish during this time, which could lead to spurious results. The department is neutral on allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is expected to result in additional costs for the department to conduct either a winter bait fishery or a test fishery in order to collect herring to determine the percent of age-5 and older herring in the biomass.

Table 158-1.—Sitka Sound herring percent of age composition of model-estimated mature numbers of fish, 1980–2020.

Year	Age 3%	Age 4%	Age 5%	Age 6%	Age 7%	Age 8+%	Age 5+ % sum	Exvessel value (\$US)
1980	6	70	21	2	0	2	24	\$2,122,340
1981	5	15	61	17	1	1	80	\$2,380,574
1982	8	11	14	51	14	2	80	\$3,198,079
1983	50	11	5	6	22	7	39	\$5,063,050
1984	14	65	5	2	2	11	21	\$3,731,200
1985	4	31	50	4	1	9	65	\$7,878,650
1986	24	9	23	33	2	7	66	\$7,407,923
1987	62	19	3	6	8	2	19	\$4,401,504
1988	5	78	9	1	2	4	16	\$4,251,300
1989	0	14	72	7	1	5	85	\$1,213,500
1990	0	2	16	70	7	6	98	\$7,950,360
1991	70	0	1	5	21	4	30	\$217,512
1992	1	86	0	0	2	10	13	\$1,368,840
1993	0	4	85	0	0	11	96	\$3,483,612
1994	13	0	4	74	0	9	87	\$3,630,354
1995	54	15	0	1	26	3	31	\$3,928,708
1996	18	64	6	0	1	11	18	\$14,349,728
1997	31	28	33	3	0	5	40	\$4,726,328
1998	30	42	13	12	1	2	28	\$1,669,545
1999	11	50	25	7	6	1	39	\$4,869,488
2000	26	21	32	14	4	4	53	\$2,777,101
2001	26	37	11	15	7	4	36	\$5,794,448
2002	18	44	21	5	7	5	38	\$4,444,206
2003	47	21	18	8	2	4	32	\$3,201,154
2004	7	67	11	9	4	3	26	\$5,162,064
2005	12	16	53	8	6	5	71	\$6,114,908
2006	18	25	11	34	5	7	57	\$2,631,288
2007	20	31	16	7	19	7	48	\$5,704,503
2008	21	35	19	8	3	14	44	\$8,919,320
2009	13	39	22	11	5	10	47	\$12,689,300
2010	12	28	29	15	7	9	60	\$12,145,663
2011	5	29	23	21	11	12	67	\$5,165,513
2012	3	13	28	20	18	19	84	\$8,336,160
2013	16	8	11	22	15	28	75	\$4,436,640
2014	4	35	7	8	16	31	61	\$3,052,260
2015	53	6	17	3	3	19	41	\$2,189,000
2016	2	76	3	8	1	10	21	\$2,458,250
2017	18	5	62	2	5	8	77	\$4,288,284
2018	19	35	3	34	1	7	46	\$1,003,618
2019	72	11	8	1	7	2	17	—
2020	0	88	5	3	0	4	12	—
Total exvessel value 1980–2020								\$188,356,274
Total fishery revenue retrospective loss under proposal, 1980–2020								\$11,473,680
Average annual fishery revenue retrospective loss under proposal, 1980–2021								\$1,912,280
Percent of fishery revenue retrospective loss, 1980–2020								6.1%

Note: Percentages may not sum to 100 due to rounding. Shaded values indicate years when the age-5+ percentage was less than or equal to 20%.

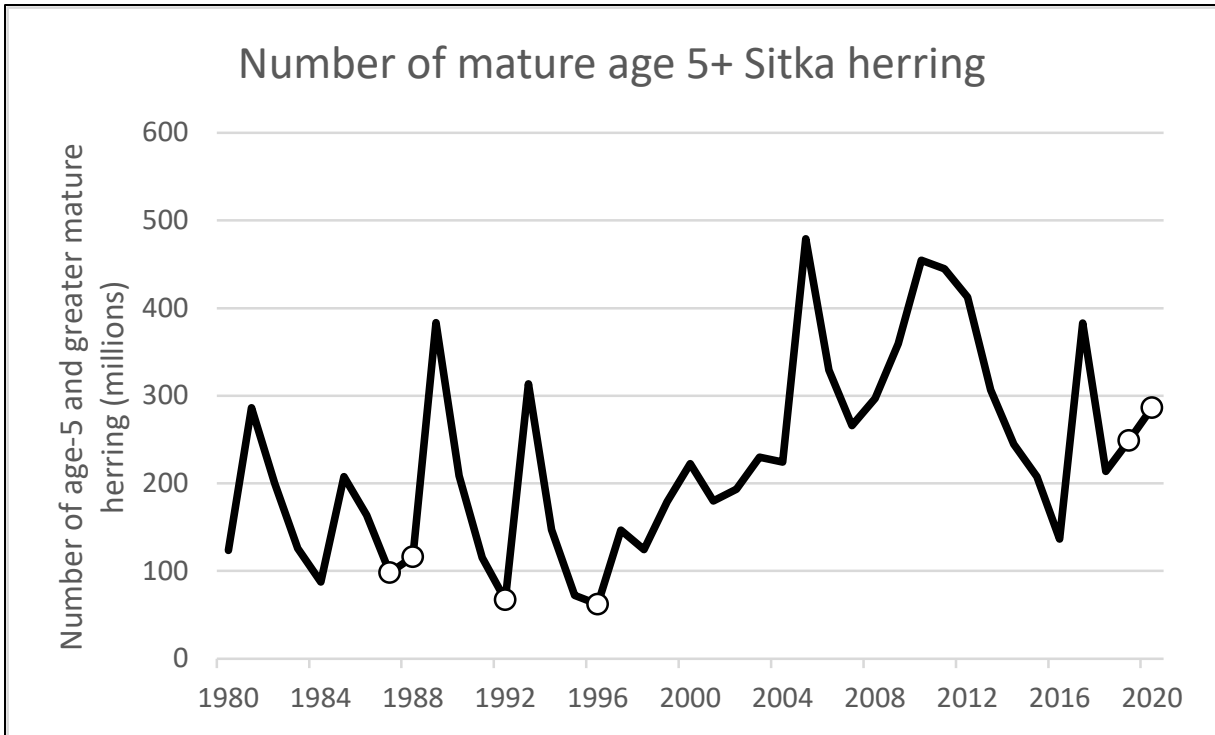


Figure 158-1.—Estimated number of age-5+ mature herring in Sitka Sound. The years when the proportion of age-5+ herring was less than 20% are identified by white circles (6 of 41 years).

PROPOSAL 159 – 5 AAC 27.195. Sitka Sound commercial sac roe herring fishery.

PROPOSED BY: Southeast Herring Conservation Alliance.

WHAT WOULD THE PROPOSAL DO? *Sitka Sound commercial sac roe herring fishery* (5 AAC 27.195) would be removed from regulation.

WHAT ARE THE CURRENT REGULATIONS? *Sitka Sound commercial sac roe herring fishery* directs the department to manage the Sitka Sound sac roe herring fishery in Section 13-B north of Aspid Cape consistent with the harvest rate strategy described in *Quotas and guideline harvest levels for Southeastern Alaska Area* (5 AAC 27.160(g)) and the provisions found in the *Herring management plan for Southeastern Alaska Area* (5 AAC 27.190). The department is to distribute the commercial harvest by time and area if it is determined necessary to ensure that subsistence harvesters have a reasonable opportunity to harvest the amount of herring spawn necessary for subsistence uses. Additionally, the department is directed to consider the quality and quantity of herring spawn on branches, kelp, and seaweed, and herring sac roe when making management decisions regarding the subsistence and commercial fisheries in Sitka Sound.

There is a positive customary and traditional use finding for herring spawn on any substrate in the waters of Section 13-A and Section 13-B north of the latitude of Aspid Cape which includes the waters of Sitka Sound. The board has found that 136,000–227,000 pounds of herring spawn are reasonably necessary for subsistence uses in these waters.

Closed waters for District 13 encompass roughly 16.5 square miles of near shore waters in north Sitka Sound. Additionally, two square miles of Sitka Sound are closed to commercial herring fishing under federal regulation; a portion of this closure is also closed in state closed waters regulations.

Sitka Sound is the only herring fishery area that has a sliding harvest rate formula in regulation. The GHF shall be established by the department and will be a harvest rate of not less than 12%, nor more than 20% of the forecast mature biomass, and within that range shall be determined by the following formula:

$$\text{Harvest Rate Percentage} = 2 + 8 \left(\frac{\text{Spawning Biomass (in tons)}}{20,000} \right).$$

The fishery will not be conducted if the spawning biomass is less than 25,000 tons.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Management of the subsistence and commercial herring fisheries in Sitka Sound would not change. The department would continue to use time and area in prosecuting the commercial sac roe herring fishery to help ensure that subsistence harvesters have a reasonable opportunity to harvest the amount of herring spawn necessary for subsistence uses. The regulations that govern closed waters, GHF, ANS, and subsistence priority exist elsewhere in regulation and would be unaffected by the removal of 5 AAC 27.195.

BACKGROUND: In October of 2001, the Sitka Tribe of Alaska (STA) submitted an ACR to the board to address concerns that the commercial sac roe harvest was negatively impacting the subsistence herring roe harvest in Sitka Sound. The board adopted the ACR to consider regulation changes to help ensure a subsistence opportunity during the January 7–14, 2002 meeting in Anchorage, AK. The board ultimately adopted the proposal and created the *Sitka Sound commercial sac roe herring fishery* management plan and adopted an ANS finding of 105,000–158,000 pounds of herring roe based on information provided by the department and testimony from subsistence users. In 2009, the board modified the ANS for herring spawn in Sitka Sound to a range of 136,000–227,000 pounds of herring spawn. From 2002 through 2011, subsistence harvest was within or above the ANS range six times and below three times; from 2012 through 2019 as participation decreased, harvests were within the ANS range once and below seven times (Figure 159-1).

In 2012, the board established the closed waters for the Sitka Sound commercial herring sac roe fishery and expanded the area in 2018. The closed area is considered a key staging area for pre-spawning herring and a significant portion of the biomass often congregates in this area prior to dispersing to the beaches to spawn. Additionally, this area is relatively close to the city of Sitka and the bottom substrate is generally preferred by subsistence users. This area is a high use subsistence harvest area and historically has been important for providing commercial sac roe herring harvest opportunity.

The harvest rate strategy (i.e., combination of sliding scale harvest rate and threshold), which was first implemented in 1983, and the specific harvest rate and threshold values, established in 1998 and updated in 2009, is considered to be conservative for the Sitka Sound herring population.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. If 5 AAC 27.195 is repealed, the department would continue to distribute the commercial harvest by fishing time and area if the department determines that it is necessary to ensure that subsistence users have a reasonable opportunity to harvest herring spawn. Additionally, the department would continue to consider the quality and quantity of herring spawn on branches, kelp, and seaweed, and herring sac roe when making fishery management decisions for both the subsistence and commercial fisheries.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

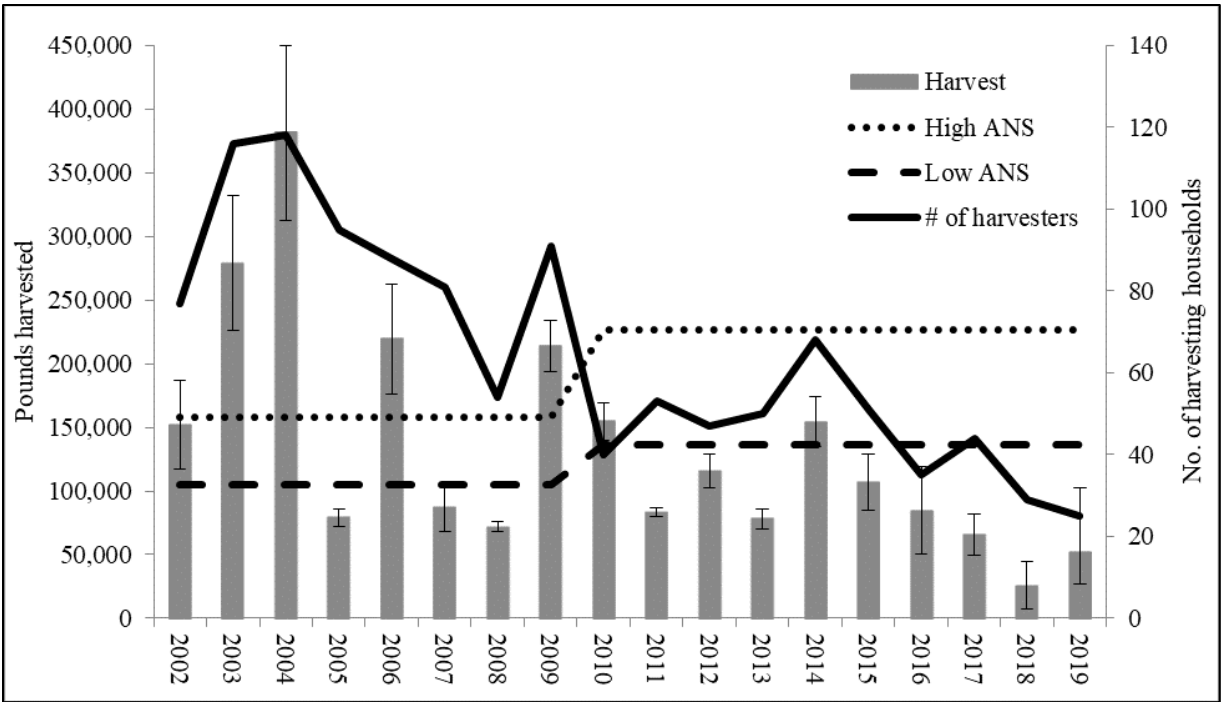


Figure 159-1.—Total pounds harvested, number of harvesting households, and ANS for subsistence use of herring spawn on kelp and branches in Sitka Sound, 2002–2019.

PROPOSAL 160 – 5 AAC 27.150. Waters closed to herring fishing in Southeastern Alaska Area.

PROPOSED BY: Southeast Herring Conservation Alliance.

WHAT WOULD THE PROPOSAL DO? Waters closed to the commercial herring fishery in Sitka Sound would be reduced.

WHAT ARE THE CURRENT REGULATIONS? Closed waters for commercial herring fishing in District 13 encompass roughly 16.5 square miles of near shore waters in north Sitka Sound. Additionally, two square miles of Sitka Sound are closed to commercial herring fishing under federal regulation; a portion of this closure is also closed in state closed waters regulations (Figure 160-1).

The department is directed by the *Sitka Sound commercial sac roe herring fishery* (5 AAC 27.195) to distribute the commercial harvest, by time and area if the department determines that it is necessary to ensure a reasonable opportunity to harvest the amount of herring spawn for subsistence use specified in *Customary and traditional subsistence uses of fish stocks and amounts necessary for subsistence uses* (5 AAC 01.716).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Approximately 6.5 square-miles of waters closed to the commercial herring fishery in Sitka Sound would be removed (Figure 160-1). Removing closed waters may increase the probability the commercial fishery will harvest higher quality sac roe herring and achieve the established GHL. Removal of the closed waters from regulation may also decrease the duration of the commercial sac roe fishery resulting in cost savings to permit holders, vessel owners, tenders, and processors.

The effect of the proposal on the subsistence harvest of herring roe is unclear since several factors unrelated to the commercial harvest affect the success of the subsistence harvest. These factors include natural variability in spawn distribution and timing, weather patterns, and the number of individuals attempting to harvest for subsistence purposes (Table 160-1). Since the majority of the subsistence harvest has historically occurred within the waters closed to commercial fishing, changes in spawn distribution in this area would be expected to affect harvesting success (Figure 160-1).

BACKGROUND: In 2012, the board established 10 square miles of closed waters for the Sitka Sound commercial herring sac roe fishery for the purpose of reducing conflict between commercial and subsistence users. In 2018, the board expanded these closed waters by approximately 6.5 square miles. The closed area is considered a key staging area for pre-spawning herring with a significant portion of the biomass often staging in this area prior to dispersing to the beaches to spawn. Additionally, this area is relatively close to the city of Sitka and the bottom substrate is generally preferred by subsistence users. This area is historically a high use subsistence harvest area and had also been important for providing commercial harvest opportunity. From 1986 through 2017, the commercial sac roe fishery had openings during 27 seasons in the area proposed to be removed from closed waters.

Since 2002, the department has conducted an annual household survey designed to estimate the subsistence harvest of herring spawn in Sitka Sound. The survey results show that harvest effort

is concentrated on an area centered around Middle Island and the Kasiana Island group (Figure 160-1). Following the implementation of the closed waters, from 2012–2019 the success rate, which is defined as the percentage of households attempting to harvest herring spawn that did so successfully, annual roe harvest, and harvest per household have remained generally constant; however, over the same time period, the number of households attempting to harvest has decreased. In 2018 and 2019, there was essentially a lack of herring spawn within the closed area, which likely contributed to the lower harvest in those years. In 2009, the board modified the ANS for herring spawn in Sitka Sound to a range of 136,000–227,000 pounds of herring spawn. From 2002 through 2011, harvests were within or above the ANS range six times and below three times; from 2012 through 2019, harvests were within the ANS range once and below seven times (Figure 159-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 160-1.—Harvest and effort in the Sitka Sound subsistence herring roe fishery 2002–2019.

Year	Number of households attempting to harvest (expanded)	Number of households harvesting (expanded)	Success rate	Subsistence roe harvest all strata (lb)	Harvest per household (lb)
2002	N/A	77	N/A	151,717	1,970
2003	117	116	99%	278,799	2,403
2004	120	118	98%	381,226	3,231
2005	111	95	86%	79,064	832
2006	93	88	95%	219,356	2,493
2007	92	81	88%	87,211	1,077
2008	59	54	92%	71,936	1,332
2009	91	91	100%	213,712	2,348
2010	40	40	100%	154,620	3,866
2011	57	53	93%	83,443	1,574
2012	50	47	94%	115,799	2,464
2013	52	50	96%	78,090	1,562
2014	68	68	100%	154,412	2,271
2015	52	51	98%	106,998	2,098
2016	38	35	92%	84,554	2,416
2017	53	44	83%	65,691	1,493
2018	39	29	74%	25,862	892
2019	27	25	93%	51,687	2,067
2003–2011 Avg	87	82	94%	174,374	2,128
2012–2019 Avg	47	43	91%	85,387	1,986

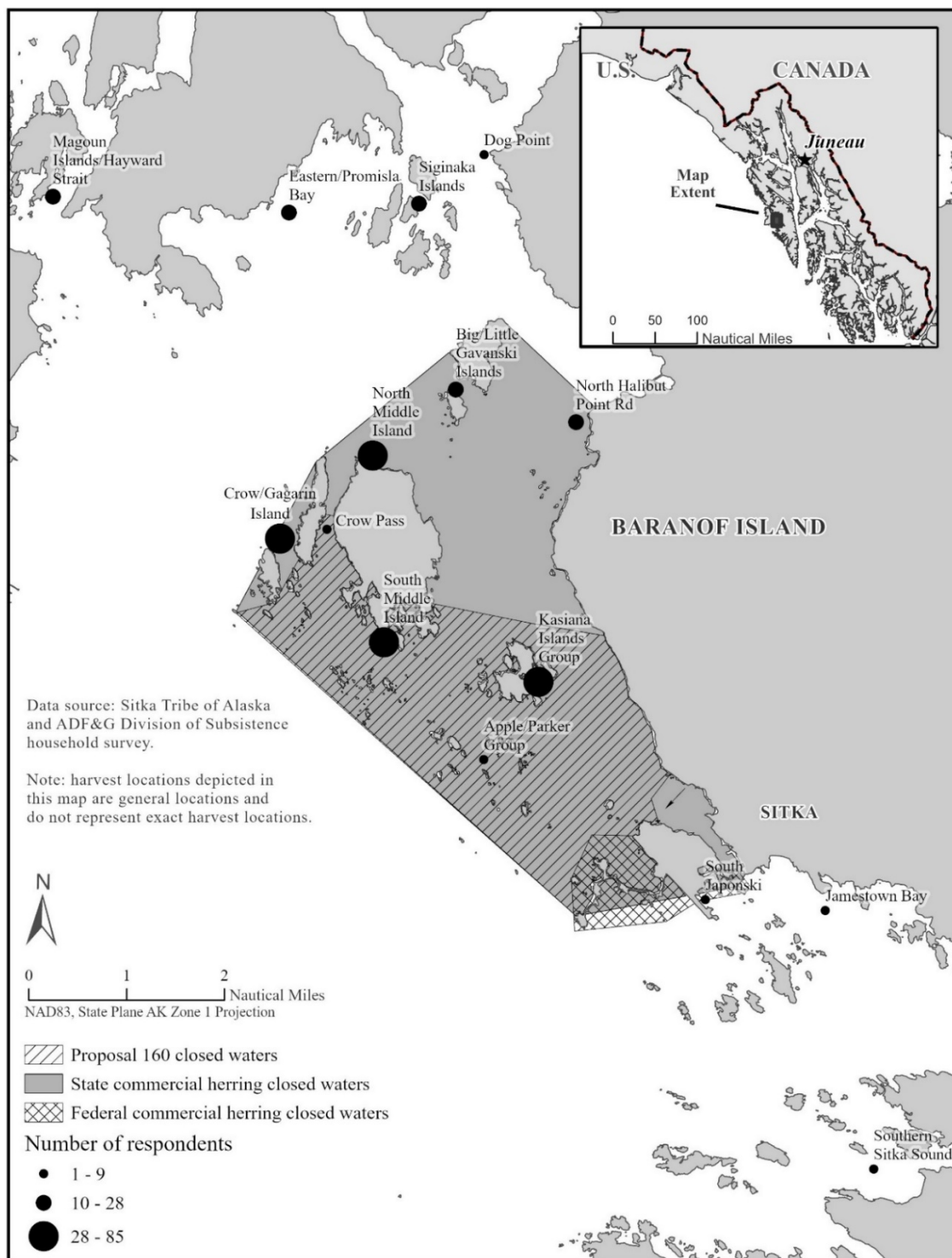


Figure 160-1.—Current and proposed closed waters to commercial herring fishing in Sitka Sound Actual and number of respondents harvesting subsistence herring spawn by general location, 2011–2019.

PROPOSAL 161 – 5 AAC 01.730. Subsistence fishing permits.

PROPOSED BY: Southeast Herring Conservation Alliance.

WHAT WOULD THE PROPOSAL DO? Households would be required to obtain a permit to subsistence harvest herring roe on branch (ROB) in Sitka Sound. The permit would require that harvest information be recorded on the permit and returned to the department.

WHAT ARE THE CURRENT REGULATIONS? Herring and herring spawn have been determined to be customarily and traditionally taken or used for subsistence in Sections 13-A and portions of 13-B. There is currently no subsistence harvest permit required for herring ROB; however, a permit is required to subsistence harvest herring spawn on kelp (SOK). There are no restrictions of the amount of harvest of ROB; individuals are limited to 32 pounds and households are limited to 158 pounds of herring SOK. An additional herring SOK permit may be granted to individuals or households upon request. Regulations specify that the department will, to the extent practicable, use a harvest monitoring program with surveys and interviews to record the harvest of herring ROB, kelp, and seaweed taken in the waters of Section 13-A and a portion of Section 13-B.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Households participating in the herring ROB subsistence fishery would be required to obtain a permit, log their harvest on the permit, and return the permit to the department. A permit and harvest report would likely result in more timely collection of basic harvest data than the current harvest monitoring survey but would not collect all of the data gathered by the survey.

BACKGROUND: In 1989, the board made a positive C&T finding for herring and herring spawn in several areas of Southeast Alaska, including Sections 13-A and a portion of 13-B. Since 2002, at the request of the board, the department has collaborated with the Sitka Tribe of Alaska (STA) on a joint effort to conduct postseason household surveys with harvesters to estimate the amount of herring spawn harvested in Sitka Sound on any substrate. This effort also provides the board with the best available data on the subsistence herring fishery, such as reasons for less, same, or more subsistence harvest of herring spawn, the extent of subsistence sharing, the extent of household collaboration in harvest effort, and other qualitative data not captured by a permit.

At its 2002 meeting, the board determined that the ANS of herring in Section 13-A and a portion of Section 13-B was 105,000–158,000 pounds. This finding was based on the best available harvest estimates of the department, which included results of a 1996 systematic household harvest survey and a 1989 herring spawn harvest estimate. In 2009, based on the harvest monitoring survey results for the period of 2002 through 2008, the board revised the ANS to 136,000–227,000 pounds. Estimates of subsistence ROB and SOK harvest derived from the current household survey are used in part to evaluate fishery performance relative to the ANS.

The original survey method from 2002 was revised in 2010 to increase the accuracy in estimating subsistence harvests of herring spawn. As part of this revision, the department and STA began annually weighing processed herring eggs to create conversion factors for common storage containers, such as quart- and gallon-sized zip-top bags and 25 and 50-pound wetlock boxes. Survey questions were added to address harvest effort and factors that contribute to participation

in the fishery over time. Methods for documenting harvest locations, sampling procedures, and surveyor training were also strengthened during the 2010 revision. The revised methodology has been used in all ensuing years, with minor annual revisions to the survey.

A permit is currently required for the subsistence harvest of SOK. Permit holders are required to report their SOK harvest to the department at the end of the season. The current annual possession limits and permit requirements for subsistence herring SOK harvest have been in place since 1985. Most of the regionwide harvest of herring SOK occurs within the Ketchikan and Sitka management areas. Since 1985, in the Sitka Management Area, an annual average of 56 permits are issued with an average permit return rate of 84%. In the Sitka area, subsistence SOK harvest estimates are made separately through returned permits and the household survey. While the current SOK permits in Sitka Sound are limited to tracking the harvest of herring spawn on giant kelp *Macrocystis* spp., the household survey can estimate harvest on kelp types other than *Macrocystis* spp. (Table 161-1). The harvest estimates produced for SOK on giant kelp through the household survey and the permit system have differed in the past (Table 161-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. Reasonably accurate harvest information can be obtained through the current harvest monitoring program. A permit and reporting of harvest requirement would not result in more accurate harvest data but would likely result in more timely collection of basic harvest data. For example, 2020 ROB harvest data was published in October 2021, about 19 months after the fishery. This timing reduces the utility of ROB harvest data produced by the survey. A harvest permit and the current harvest monitoring program would need to run concurrently to compare the results from the two programs to understand how harvest estimates derived by each method might differ to evaluate fishery performance relative to the current ANS and historical harvest estimates. In addition to estimated harvest amounts, the current harvest monitoring system captures the best available data important to this fishery that would be difficult to accurately capture from returned permits, such as sharing of herring eggs and specific details about harvest effort. Regulations require permits for other fisheries throughout the state and the department has in place an efficient system for the public to obtain harvest permits and report harvest information. Finally, if approved, the specific geographic area encompassed by this permit would need to be defined by the board.

COST ANALYSIS: Approval of this proposal is not expected to result may result in an additional direct cost for a private person to participate in this fishery if travel is required to obtain or report on a permit. If approved, in the short term, there could be an additional cost to the department in running two programs concurrently and evaluating the results. In the long term, if the household survey currently in operation were terminated, there would be a cost savings for the department, depending on the robustness of information required to be reported on the permit.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(11)(D)(i) and (ii) that herring and herring spawn in the waters of Section 13-A and in the waters of Section 13-B north of the latitude of Aspid Cape are customarily and traditionally taken for subsistence uses.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 136,000–227,000 pounds of herring spawn that are reasonably necessary for subsistence uses in Section 13-A and Section 13-B north of the latitude of Aspid Cape (5 AAC 01.716(b)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 161-1.—Estimated SOK harvest from Sitka Sound from the harvest permits and household surveys, 1985–2020.

Year	SOK harvest permit (<i>Macrocystis</i> spp. only)			Reported harvest (pounds)	Expanded harvest (pounds) ^a	Household survey estimated harvest (pounds)	
	Permits issued	Permits returned	Percent returned			SOK (<i>Macrocystis</i> spp. only) ^b	SOK (other than <i>Macrocystis</i> spp.) ^c
1985	71	45	63%	2,512	3,963	—	—
1986	90	82	91%	3,580	3,929	—	—
1987	58	58	100%	5,351	5,351	—	—
1988	74	74	100%	3,654	3,654	—	—
1989	50	48	96%	647	674	—	—
1990	71	69	97%	3,644	3,750	—	—
1991	75	74	99%	4,967	5,034	—	—
1992	76	75	99%	5,019	5,086	—	—
1993	40	40	100%	3,743	3,743	—	—
1994	81	65	80%	2,394	2,983	—	—
1995	57	46	81%	1,761	2,182	—	—
1996	100	76	76%	4,550	5,987	—	—
1997	86	60	70%	3,334	4,779	—	—
1998	60	42	70%	2,155	3,079	—	—
1999	58	43	74%	2,519	3,398	—	—
2000	47	46	98%	2,580	2,636	—	—
2001	52	46	88%	805	910	—	—
2002	47	41	87%	3,586	4,111	4,270	7,642
2003	40	32	80%	2,511	3,139	4,556	4,339
2004	52	36	69%	7,208	10,412	11,494	13,039
2005	41	28	68%	1,500	2,196	3,176	3,848
2006	32	31	97%	3,293	3,399	4,373	2,031
2007	42	37	88%	2,117	2,403	3,117	N/A
2008	41	41	100%	1,734	1,734	1,409	2,118
2009	67	59	88%	3,869	4,394	2,571	5,751
2010	60	55	92%	5,301	5,783	4,105	2,020
2011	55	45	82%	2,740	3,349	343	303
2012	61	50	82%	2,075	2,532	5,344	N/A
2013	37	36	97%	2,190	2,251	2,474	2,314
2014	42	31	74%	2,042	2,767	3,563	830
2015	46	36	78%	1,924	2,458	2,351	127
2016	32	25	78%	1,585	2,029	459	251
2017	36	21	58%	1,523	2,611	817	59
2018	40	24	60%	1,668	2,780	866	289
2019	45	34	76%	2,285	3,024	1,779	905
2020	40	32	80%	1,432	1,790	N/A	N/A
1985–2020 Avg	56	47	84%	2,883	3,453	—	—
2002–2020 Avg	45	37	81%	2,662	3,324	3,170	2,867

^a Expanded harvest based on average pounds harvested per permit returned.

^b The 2007 and 2012 harvest survey did not separate spawn on *Macrocystis* spp. from other kelp types.

^c Mostly hair kelp.

PROPOSAL 162 – 5 AAC 01.730. Subsistence fishing permits.

PROPOSED BY: Tad Fujioka.

WHAT WOULD THE PROPOSAL DO? The annual possession limit for the subsistence herring spawn-on-kelp (SOK) fishery would increase to 75 pounds for an individual and 325 pounds for a household of two or more persons and would remove the regulation allowing the department to issue an additional permit to households if surplus herring SOK is available to be harvested.

WHAT ARE THE CURRENT REGULATIONS? The annual possession limit for herring SOK is 32 pounds for an individual and 158 pounds for a household of two or more persons. When issuing a herring SOK subsistence permit the department may specify the times and locations of harvesting and the species of kelp that may be harvested. The department may also issue an additional permit to households above the annual possession limit if surplus herring SOK is available.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Increasing the annual possession limit for subsistence herring SOK without requiring the issuance of an additional permit would likely increase the annual harvest by an unknown amount. An increase in the harvest of herring SOK could potentially cause localized depletions of kelp.

BACKGROUND: The current annual possession limits and permit requirements for subsistence herring SOK harvest have been in place since 1985. Most of the regionwide harvest of herring SOK takes place within the Ketchikan and Sitka management areas. In Sitka Sound since 1985 an average of 56 permits have been issued annually and the average annual harvest is approximately 3,500 pounds of SOK. For the Craig/Klawock area there has been an average of 165 permits issued annually with an average harvest of approximately 9,000 pounds since 1985. Harvest has declined in the Craig/Klawock area with the recent 10-year average harvest being approximately 4,500 pounds from an average of 97 permits (Table 162-1). Giant kelp *Macrocystis* spp. is the most common kelp taken in the subsistence herring SOK fishery in Sitka Sound and Craig/Klawock areas.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The department does not have concerns with the abundance of *Macrocystis* spp. in Southeast Alaska and does not have concerns with the abundance of herring in the areas where SOK subsistence permits are currently issued.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? No.
2. Is this stock customarily and traditionally taken or used for subsistence? The board has determined under 5 AAC 01.716(a)(11)(D)(i) and (ii) that herring and herring spawn in the

waters of Section 13-A and in the waters of Section 13-B north of the latitude of Aspid Cape are customarily and traditionally taken for subsistence uses.

3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has established a range of 136,000–227,000 pounds of herring spawn that are reasonably necessary for subsistence uses in Section 13-A and Section 13-B north of the latitude of Aspid Cape (5 AAC 01.716(b)).
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

Table 162-1.—Estimated subsistence SOK harvest and permits.

Year	Sitka SOK harvest (<i>Macrocystis</i> spp. only)				Craig SOK harvest (all kelp types)			
	Permits issued	Permits returned	Reported harvest (pounds)	Expanded harvest (pounds) ^a	Permits issued	Permits returned	Reported harvest (pounds)	Expanded harvest (pounds) ^a
1985	71	45	2,512	3,963	233	180	9,553	12,366
1986	90	82	3,580	3,929	241	144	5,565	9,314
1987	58	58	5,351	5,351	231	162	15,038	21,443
1988	74	74	3,654	3,654	195	130	6,354	9,531
1989	50	48	647	674	221	126	11,699	20,520
1990	71	69	3,644	3,750	245	172	10,158	14,469
1991	75	74	4,967	5,034	267	142	12,627	23,742
1992	76	75	5,019	5,086	406	308	15,130	19,944
1993	40	40	3,743	3,743	296	146	4,490	9,103
1994	81	65	2,394	2,983	280	156	3,739	6,711
1995	57	46	1,761	2,182	199	81	3,414	8,387
1996	100	76	4,550	5,987	261	168	11,500	17,866
1997	86	60	3,334	4,779	226	169	9,316	12,458
1998	60	42	2,155	3,079	213	90	5,815	13,762
1999	58	43	2,519	3,398	185	127	6,770	9,862
2000	47	46	2,580	2,636	116	78	1,749	2,601
2001	52	46	805	910	113	50	3,014	6,812
2002	47	41	3,586	4,111	123	50	2,619	6,443
2003	40	32	2,511	3,139	144	100	6,735	9,698
2004	52	36	7,208	10,412	92	57	3,411	5,505
2005	41	28	1,500	2,196	140	90	6,281	9,770
2006	32	31	3,293	3,399	92	82	5,414	6,074
2007	42	37	2,117	2,403	109	81	2,605	3,505
2008	41	41	1,734	1,734	117	59	3,431	6,804
2009	67	59	3,869	4,394	132	83	5,090	8,095
2010	60	55	5,301	5,783	106	77	3,644	5,016
2011	55	45	2,740	3,349	129	94	6,627	9,095
2012	61	50	2,075	2,532	85	68	2,887	3,609
2013	37	36	2,190	2,251	122	99	4,266	5,257
2014	42	31	2,042	2,767	115	88	3,583	4,682
2015	46	36	1,924	2,458	88	68	2,444	3,163
2016	32	25	1,585	2,029	110	80	4,455	6,126
2017	36	21	1,523	2,611	73	58	2,614	3,290
2018	40	24	1,668	2,780	83	40	1,488	3,088
2019	45	34	2,285	3,024	84	63	2,305	3,073
2020	40	32	1,432	1,790	78	27	1,334	3,854
Averages								
1985–2020	56	47	2,883	3,453	165	105	5,755	9,029
2011–2020	43	33	1,946	2,559	97	69	3,200	4,524

^a Expanded harvest based on average pounds harvested per permit returned.

PROPOSALS 163 and 164 – 5 AAC 27.195. Sitka Sound commercial sac roe herring fishery.

PROPOSED BY: Charles Olson (Proposal 163); Andrew Kittams, Alan Otness, Nels Otness, Jim Bodding (Proposal 164).

WHAT WOULD THE PROPOSALS DO? Proposal 163 would allocate an equal portion of the Sitka Sound (Sections 13-A and 13-B) commercial sac roe herring fishery GHL to each permit holder, provide a provision that allows multiple permit holders to be onboard a single fishing vessel, and allow the department to limit the number of vessels during a fishery opening. Proposal 164 would allocate an equal portion of the Sitka Sound commercial sac roe herring fishery GHL to each permit holder, establish an overage and underage policy for the harvest of each permit holder's quota share annually, and limit the times and dates that the commercial sac roe herring fishery may occur.

WHAT ARE THE CURRENT REGULATIONS? All Southeast Alaska herring sac roe fisheries are limited entry. The Sitka Sound commercial sac roe purse seine herring fishery is currently the only commercial sac roe purse seine herring fishery allowed by regulation in Southeast. It is managed as a competitive fishery during seasons established by EO.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Proposal 163 would allocate equal shares of the available GHL to all commercial sac roe herring fishery registered permit holders for the Sitka Sound fishery each season. This proposal also specifies that multiple permit holders may harvest from the same vessel and that the department may limit the number of vessels participating in an opening. This would potentially reduce the overall fleet size each year because permit holders would likely consolidate on fewer vessels. Fewer people would share in the economic benefits derived from the fishery as this would substantially reduce the number of crewmembers, spotter aircraft, and tenders used in the fishery. There would be greater opportunity to release sets containing marginal roe content or smaller herring, increasing overall quality and value of fish harvested. Industry would have more control over the pace of the harvest, likely resulting in less time herring are held in tenders before processing, increasing overall quality. There might be competition for herring in areas determined to have high roe percentages, but there would not be competition to maximize individual share of the harvest. The fishery could occur in a larger, less restricted area. The department's responsibility for making critical time and area decisions that affect the quality of the herring harvest would be reduced. Also, industry would bear more of the responsibility of controlling harvests in consideration of processing capacities. If adopted this proposal may disadvantage fishermen who historically have harvested more than average or who may have invested in their boats and gear to be able to harvest a greater than an average amount.

Proposal 164 differs in that there is no provision for allowing multiple permit holders to be onboard a single vessel; it establishes an overage and underage policy and limits the times and dates that the department may open the fishery. Not allowing multiple permit holders to fish on a single vessel would likely maintain the current size of the fishing fleet but could increase the occurrence of individual fishermen exceeding their quota share. If a person exceeds their equal quota share by less than ten percent, the department would reduce their quota share in the following year by the amount of the overage. If they exceed their quota share by more than ten percent, the proceeds from the sale of the overage more than ten percent would be surrendered to the state. If a permit

holder harvests less than their equal quota share the department would increase their quota share in the following year for the amount of the underage and not to exceed ten percent of the equal quota share. Restricting the times and dates that the fishery occurs to between 8:00 a.m. and 5:00 p.m. from March 1 to April 30 will likely have little impact on the department's ability to manage harvest to achieve the established GHL.

BACKGROUND: The commercial sac roe herring fishery in Southeast Alaska has been under the limited entry program since 1977 and there are currently 47 limited entry permits. All permit holders usually participate when the fishery is opened. Since 1980, the average harvest in Sitka has been 8,295 tons. The recent 10-year average harvest is 9,067 tons with an average harvest per permit holder of 266 tons. The Sitka Sound herring GHL has averaged 9,983 tons annually since 1980; from 2011 through 2020 the annual average GHL was 16,432 tons (Table 163-1).

The Sitka Sound commercial sac roe herring fishery is typically managed as a competitive fishery. After test fishing has demonstrated acceptable herring roe quality in an area and department vessel and aerial surveys have determined there is adequate herring abundance and distribution available, the department may open the fishery in a specific area. Fishing periods are opened for either set time periods or managed inseason by monitoring catch on the fishing grounds and closing the fishery when estimated catch is approaching harvest goals.

Cooperative (equal share) fisheries have been used as a management tool in Sitka Sound for situations when roe quality standards were difficult or impossible to achieve and to limit harvest when smaller amounts of available GHL remained. These cooperatives were entirely voluntary and operated under guidelines developed by industry participants with input from the department. There are no regulations that address how a cooperative fishery should be managed. The department has agreed to open the fishery under a cooperative style fishery in Sitka Sound under strict guidelines with permit holders and processors. Since the department's EO authority includes only time and area, the fishery is opened only after all permit holders have unanimously agreed to abide by the guidelines. Cooperative style fisheries have been used in 13 seasons since 1980 with equal share fisheries accounting for 100% of the herring harvested in six of those years. For all other years the GHL was completely harvested in competitive fisheries (Table 163-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals. The department has demonstrated the ability to manage either competitive or shared quota fisheries to stay within the GHL. Department success with equal share quota fisheries in Sitka Sound is in part related to management in accordance with the terms of cooperative agreements between permit holders, processors, and the department.

The department's inseason management practices of monitoring herring quality and distribution would not significantly change; the department would continue to exercise time and area authority to minimize high grading and excessive test setting to achieve desired herring quality. Increased enforcement of fishery activities may be necessary to ensure regulatory compliance and harvest limits.

Previous cooperative Sitka Sound commercial sac roe herring fisheries have shown that individual harvest limits are likely to be exceeded. Permit holders collectively using fewer vessels could

substantially reduce the potential for overages when compared to each permit holder using their own vessel.

Considerations for an equal share fishery management plan for the Sitka Sound commercial sac roe herring fishery include:

- Develop specific registration requirements to ensure adequate tracking of permit holders, vessels, and processors.
- A standard minimum roe content be established (e.g. 10%). If sampling indicates the minimum roe content exists, the set must be retained. This avoids excessive handling and sorting of herring to maximize roe content.
- Allow the department to close the fishery if excessive catch-and-release is occurring.
- Prohibit the making of a set unless roe samplers are immediately available. This is intended to minimize the amount of time herring are held prior to deciding whether to harvest or release the set.
- Quota shares will be based on the GHL divided by the total number of registered CFEC limited entry permits.
- Require and define mandatory presence of permit holders during harvesting.
- Mandatory call-in to the department immediately prior to making a set and the results of each set. This will allow the department to monitor the effort and effectively manage the fishery.
- Once a pump or brailing device intended to offload herring has been placed in a set with herring, all herring in that set must be retained and sold.
- Fishing should be allowed only during daylight hours. This will allow the department to monitor and implement changes to the fishery in an effective manner.
- Company pool sharing of fish from a set and sharing between companies should be allowed and encouraged.
- Reporting of harvest on fish tickets should be made by each permit holder and not by the boat that caught the fish.
- A mechanism should be developed so that permit holders or company pools that exceed their shared quota cannot benefit and may be penalized for excess harvest.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of these proposals is not expected to result in an additional cost for the department.

Table 163-1.—Sitka Sound herring purse seine sac roe fishery summary, 1980–2020.

Year	GHL (tons)	Sac roe harvest (tons)	Percent of GHL harvested	Remaining GHL (tons)	Number of permits	Harvest/ permit (tons)	Roe percent	Tons taken coop	Percent of harvest coop
1980	4,000	4,445	111%	0	50	89	10.8	—	—
1981	3,000	3,506	117%	0	51	69	11.0	—	—
1982	3,000	4,363	145%	0	51	86	11.7	—	—
1983	5,500	5,450	99%	50	51	107	11.1	—	—
1984	5,000	5,830	117%	0	50	117	11.1	—	—
1985	7,700	7,475	97%	225	52	144	11.3	—	—
1986	5,029	5,442	108%	0	52	105	11.9	—	—
1987	3,600	4,216	117%	0	52	81	9.9	—	—
1988	9,200	9,390	102%	0	52	181	9.5	9,390	100%
1989	11,700	11,714	100%	0	51	230	9.4	11,714	100%
1990	4,150	3,804	92%	346	52	73	10.6	—	—
1991	3,200	1,838	57%	1,362	22	84	8.9	1,838	100%
1992	3,356	5,368	160%	0	52	103	9.4	—	—
1993	9,700	10,186	105%	0	50	204	10.7	10,186	100%
1994	4,432	4,758	107%	0	51	93	11.0	—	—
1995	2,609	2,908	111%	0	51	57	11.8	—	—
1996	8,144	8,144	100%	0	51	160	9.6	3,976	49%
1997	10,900	11,147	102%	0	51	219	11.5	—	—
1998	6,900	6,638	96%	262	51	130	10.2	—	—
1999	8,476	9,218	109%	0	51	181	10.7	873	9%
2000	5,120	4,630	90%	490	51	91	9.9	—	—
2001	10,597	11,972	113%	0	51	235	11.3	—	—
2002	11,042	9,788	89%	1,254	51	192	10.9	1,462	15%
2003	6,969	7,050	101%	0	51	138	10.7	—	—
2004	10,618	10,492	99%	126	51	206	10.8	—	—
2005	11,192	11,366	102%	0	51	223	11.5	1,102	10%
2006	10,412	9,967	96%	445	50	199	10.5	879	9%
2007	11,904	11,571	97%	333	50	231	11.4	—	—
2008	14,723	14,386	98%	337	50	288	11.5	—	—
2009	14,508	14,776	102%	0	50	296	11.8	—	—
2010	18,293	17,602	96%	691	49	359	12.5	—	—
2011	19,490	19,419	100%	71	48	405	13.3	—	—
2012	28,829	13,232	46%	15,597	48	276	11.9	—	—
2013	11,549	5,688	49%	5,861	48	118	13.0	211	4%
2014	16,333	16,957	104%	0	48	353	12.4	—	—
2015	8,712	8,756	101%	0	25	350	11.8	8,756	100%
2016	14,941	9,769	65%	5,172	45	217	10.7	—	—
2017	14,649	13,923	95%	726	48	290	11.4	1,114	8%
2018	11,128	2,926	26%	8,202	25	117	11.2	2,926	100%
2019	12,869	0	—	12,869	—	—	—	—	—
2020	25,824	0	—	25,824	—	—	—	—	—
1980–2020 Avg	9,983	8,295	98%	1,957	48	182	11.0		
2011–2020 Avg	16,432	9,067	73%	7,432	42	266	12.0		

PROPOSAL 165 – 5 AAC 27.110. Fishing seasons for Southeastern Alaska Area.

PROPOSED BY: Charles Olson.

WHAT WOULD THE PROPOSAL DO? Herring left unharvested from the Sitka Sound commercial sac roe herring fishery GHL could be taken in a food and bait fishery by current herring sac roe purse seine (GO1A) permit holders.

WHAT ARE THE CURRENT REGULATIONS? There are currently no provisions in regulation that allow for a food and bait herring fishery in Sitka Sound. The herring GHL for Sitka Sound is allocated to the subsistence and commercial sac roe purse seine fisheries with 100 tons of herring in Section 13-B for fresh bait or tray pack purposes.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? In years when portions of the Sitka Sound herring GHL went unharvested in the commercial sac roe herring fishery, the remaining balance would be available for harvest in a food and bait fishery. Only current GO1A permit holders would be allowed to participate in the food and bait fishery. It is unclear when the harvest would be allowed to take place. This would increase exvessel value of Sitka Sound herring in years when the GHL is not completely harvested in the sac roe herring fishery. This would be especially true in years where the sac roe fishery was not conducted (i.e., 2019 and 2020).

BACKGROUND: During the 1960s, herring in Sitka Sound were harvested for bait purposes until 1969, when it is believed that some of the harvest was sold for the sac roe market. By 1974, all the harvest was going to the sac roe market and the sac roe fishery was placed under limited entry in 1977. Since then, all the available GHL was allocated to the purse seine sac roe fishery. By permit, regulations allow up to 100 tons of herring in Sitka Sound to be harvested and placed into pounds to be sold as either fresh bait or frozen tray pack herring. Harvests from the bait pound fishery are not deducted from the GHL. Since 1982, a limited amount of herring has been harvested for the fresh bait pound fishery by permit. Since 2005, there has been no harvest in the bait pound fishery.

Historically, herring have been harvested for food and bait from overwintering aggregations throughout the region. The total annual harvests were as high as 7,300 tons in the mid-1970s. However, in recent years, only the Craig spawning stock has consistently provided a herring GHL for the food and bait fishery. From 2011–2020 the annual average food and bait harvest in Craig was 646 tons with an average of three permit holders participating in the fishery. The average GHL in the Craig fishery from 2011–2020 has been 2,424 tons. The Southeast Alaska winter food and bait fishery remains an open-access fishery.

The Sitka Sound commercial sac roe herring fishery has had unharvested GHL at the end of the season in eight of the past ten years (Table 163-1). From 2011–2020, the amount of herring unharvested has ranged from 71 tons in 2011 to as much as the entire 2020 GHL of 25,824 tons; the average amount of GHL remaining from 2011–2020 is 7,432 tons (Table 163-1). The large amounts of GHL that were unharvested in the sac roe fishery in 2015 and from 2018–2020 were due to unfavorable market conditions and/or situations where the size or roe content of available herring was below market requirements. In other years, small portions of the GHL went unharvested because following the final fishery of that year, the amount remaining was too small

to be able to effectively manage as a competitive fishery to achieve the GHL. An average of 42 permit holders made landings in the sac roe fishery from 2011–2020 (Table 163-1). There are currently 47 active G01A permits and typically all permits participate in the fishery, but not all permit holders make landings when fisheries occur.

From 1992–2017, the department conducted a test fishery in Sitka Sound as part of its herring stock assessment program which harvested an average of 80 tons annually that was sold for bait to a Sitka based processor.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. The board may allocate herring GHL between different fisheries, but the board does not have the authority to create a food and bait fishery in Sitka Sound that is exclusive to G01A permit holders. A G01A permit may only be used to harvest herring for sac roe in board designated sac roe purse seine fishing areas. If the board were to adopt this proposal and allocate the remainder of the Sitka Sound sac roe GHL to winter food and bait, participants in the fishery would need to acquire a winter food and bait (H01A) interim use permit and the board would need to make several changes to existing regulations that govern the seasons and areas for food and bait fisheries in Sections 13-A and 13-B. If this proposal is adopted, the department has concerns about being able to manage an orderly fishery to remain within the established GHL when the amount of the remaining GHL is small and the department would likely need to establish permit conditions such as harvest limits as allowed under 5 AAC 27.179.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 166 – 5 AAC 27.XXX. New section.

PROPOSED BY: Darrell Kapp.

WHAT WOULD THE PROPOSAL DO? Herring sac roe purse seine (GO1A) permit holders participating in the Sitka Sound commercial sac roe herring fishery would have the choice of fishing open pound gear to harvest herring SOK in lieu of using purse seine gear to harvest herring for roe in the Sitka Sound sac roe fishery.

WHAT ARE THE CURRENT REGULATIONS? The only commercial herring roe fishery allowed in Section 13-A, south of the latitude of Point Kakul, and in Section 13-B, north of the latitude of Aspid Cape, except for Whale and Necker bays is the Sitka Sound sac roe purse seine fishery. An open pound is defined as a single, floating, rectangular structure with suspended kelp and no webbing or lead used to hold or guide herring that is used to produce SOK; the inside surface area may not exceed 2,400 square feet and no one side may be longer than 60 feet. A “lead” is a length of net employed for guiding herring to a pound. Open pounds are not a legal gear type in the Sitka Sound herring fishery. Additionally, CFEC regulations (20 AAC 05.230(a)(9)) have already established Northern Southeast Alaska, Districts 9–16, including Sitka Sound, for permit holders of L21A permits (Northern Southeast SOK pound fishery).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Each season limited entry permit holders would have the option of fishing open pounds for SOK in lieu of purse seines for sac roe herring in the Sitka Sound herring fishery. Herring sac roe and SOK markets are generally limited to the Japanese market and pricing is often volatile and sensitive to supply. Having this option may provide greater economic return to individual permit holders since they would have the option to choose what product to harvest based on market conditions. The potential reduction of sac roe harvest may have a positive effect on sac roe prices, however, the increase of SOK production would likely have a negative effect on SOK pricing and overall economic return for the existing SOK fisheries. The increased demand for giant kelp *Macrocystis* spp. would not be expected to cause a biological concern with the overall health of kelp populations in Southeast Alaska but could affect the availability of acceptable quality kelp for the existing SOK fisheries.

It is unclear from the proposal how the Sitka Sound sac roe herring GHL would be affected by permit holders choosing to utilize open pounds instead of using purse seine gear. If the intent is to reduce the sac roe herring GHL by an amount equal to the herring utilized in the SOK fishery, this would reduce the mortality of herring associated with the harvest of sac roe herring. The impacts of the SOK open platform fishery would include the removal of potential egg deposition, however, this removal would likely be less than the removal of potential egg deposition in the sac roe fishery. Additionally, while the presence of pound structures on the grounds could compete for the same area and shoreline as the subsistence herring egg on branch fishery, the potential for conflict among users would likely be reduced due to the current extent of waters closed to commercial herring fishing in Sitka Sound (Figure 160-1).

BACKGROUND: This proposal was first presented to the board in 1997. Discussions at that time indicated there were numerous legal, policy, fishery management, and socioeconomic questions regarding this proposal. Because of these many unanswered questions the board directed the

department to conduct an experimental test fishery to help resolve some of the unanswered questions.

The department completed two experimental herring SOK test fisheries in Sitka Sound during the 1998 and 1999 seasons. Test fishery contracts were awarded to an association of 13 limited entry permit holders and their crewmembers in the Sitka herring fishery. Platform gear used was four, 40' x 60' aluminum frames, initially built for use in the San Francisco SOK fishery. Kelp for the fisheries was harvested from Sea Otter Sound in District 3. Five tons of kelp was harvested and deployed in 1998 and 4.5 tons in 1999. Production in 1998 amounted to 27-tons of SOK (drained, unsalted weight), which sold for \$311,538 at an average price of \$5.46/lb. Production in 1999 was 20.6 tons; it sold for \$227,965 at an average price of \$5.29/lb. No conflicts were reported either year with the subsistence fishery or the sac roe herring fishery.

During the 1998 fishery the department applied a random sampling design to determine a conversion rate for herring utilized by the fishery per product produced based on current year fecundity samples. The department estimated that eggs from 100 tons of herring were required to produce 27.2 tons of SOK product.

During the 1999 season the department carried out field studies of giant kelp *Macrocystis* spp. distribution, productivity, and abundance. This study suggests that kelp supply should not be considered as a limiting factor for fishery development. Anecdotal evidence of *Macrocystis* spp. abundance and distribution suggests that this is still the case.

In 2003, the board continued to struggle with various issues associated with the establishment of an open platform SOK option for the Sitka Sound herring fishery and the board formed the Sitka SOK Open Platform Fishery Working Group with 11 specific issues identified for discussions. A meeting was held in November 2004 and it was recommended to not move forward with further discussions in the proposed fishery. Reasons cited included: 1) markets were at that time oversupplied with SOK and there was no room for a new SOK fishery; 2) Sitka Tribe of Alaska testified against it because of the likelihood of conflict with subsistence users because it was likely that the preferred area to place open platforms would be the same areas in the core spawning area heavily used by the subsistence fishery; and 3) all input submitted concerning this fishery was negative except for the idea that herring mortality would be reduced. In January 2005, the board agreed that the working group had finished its assignment and determined there was no need to continue discussions at that time.

This issue was also considered by the board during the 2015 Southeast and Yakutat Finfish meeting as Proposal 126. It was determined that the CFEC administrative area for the Northern Southeast SOK herring fishery includes Sitka Sound. Adoption of Proposal 126 at that meeting would have authorized additional limited entry permit holders to participate in the Northern Southeast SOK herring fishery, an action that may only be undertaken by CFEC, not by the board. In response to this determination the board tabled Proposal 126 until the Statewide Finfish and Supplemental Issues meeting in 2016 and, in conjunction with the Department of Law, asked CFEC to consider changing the administrative area for the Northern Southeast SOK herring fishery to exclude Sitka Sound. If CFEC were to exclude Sitka Sound from the administrative area the board could then consider allowing open pounds as an alternative gear type for purse seine limited entry permit holders in Sitka Sound. CFEC held a hearing on October 28, 2015, to consider the proposed

regulation change. Of the 61 comments received in writing, telephonically or in person, only the author of the original proposal was in favor of the CFEC proposal. Based on the comments received, CFEC took no action. The board ultimately took no action on this proposal at the 2016 meeting based on a lack of regulatory authority to allow new entrants into a fishery or to determine who might enter a limited entry fishery.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Under current regulations, if an SOK fishery were established in Sitka Sound only permit holders of L21A permits would be able to participate. To establish a new Sitka Sound SOK pound fishery, CFEC must first exclude the waters of Sitka Sound to pound fishermen holding L21A permits. If the board decides to proceed, the department is confident that a regulatory program can be adapted to adequately monitor and manage the fishery. Once basic parameters are determined to define the scope of the fishery, the department could then utilize a permit to manage the fishery during initial developmental stages. Basic parameters would include gear type and amount, a kelp harvest management plan, fishery registration, a GHL allocation strategy, and reporting requirements.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is expected to result in an additional cost for the department.

PROPOSAL 167 – 5 AAC 27.110. Fishing seasons for Southeastern Alaska Area; 5 AAC 27.160. Quotas and guideline harvest levels for Southeastern Alaska Area; and 5 AAC 27.185. Management plan for herring spawn on kelp in pounds fisheries in Sections 3-B, 12-A, and 13-C, and District 7.

PROPOSED BY: Larry Demmert.

WHAT WOULD THE PROPOSAL DO? Salisbury Sound (Section 13-A) would be removed from the Sitka Sound commercial herring sac roe purse seine fishery. Section 13-A would then be added to the Hoonah Sound (Section 13-C) spawn on kelp (SOK) fishery.

WHAT ARE THE CURRENT REGULATIONS? The Sitka Sound herring sac roe purse seine fishery is currently the only herring sac roe purse seine fishery allowed in regulation in Southeast Alaska. The fishery may take place in Section 13-A south of the latitude of Point Kakul at 57°21.75' N lat and in Section 13-B north of the latitude of Aspid Cape at 56°41.75' N lat, except for Whale and Necker Bays (Figure 167-1). It is managed as a competitive fishery during seasons established by emergency order. The fishery may only take place if the forecasted spawning biomass is greater than 25,000 tons of herring.

In the Section 13-C SOK fishery, herring pounds may only be placed in the waters of Hoonah Sound north and west of a line from Point Marie at 57°21.75' N lat, 57°21.75' W long to a point on the north shore of Hoonah Sound at 57°21.75' N lat, 57°21.75' W long. Herring may be captured and transferred to closed pounds from 12:00 p.m. April 6 until 12:00 p.m. May 15, unless closed by EO. The fishery may only take place if the forecasted spawning biomass is greater than 2,000 tons of herring.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If Salisbury Sound is closed to the commercial sac roe fishery, openings will be limited to a smaller geographical area and would result in decreased harvest in some years. This could also have the effect of reducing options for distributing openings as required in 5 AAC 27.195 (a)(2). There is no evidence to suggest a relationship exists between Hoonah Sound and Salisbury Sound herring and as such the department's assessment of either stock of herring will not change. Because of this, if Salisbury Sound were added to the Hoonah Sound SOK fishery, it is unlikely that there would be an increase in the frequency of openings for the fishery.

BACKGROUND: Regulations establishing sac roe areas for set gillnet and seine were adopted in 1975. At that time there was very little documented herring spawn or sac roe harvest in Salisbury Sound. The department has been mapping herring spawn annually in the greater Sitka Sound area since 1964, primarily using aerial surveys. During the 1960s and 1970s, the Sitka Sound herring population was much smaller than current levels and herring spawning generally occurred only within Sitka Sound and favored the shorelines in the northeastern portions of Sitka Sound. This area is considered to be the “core” spawning area for the Sitka Sound herring population.

The Sitka Sound herring population expanded substantially beginning in 1979 and spawning began occurring over a broader area. It was not until 1988, well after the population expansion, that significant spawning was documented in Salisbury Sound totaling 6.9 nmi. There are two periods of sequential seasons when significant spawning occurred in Salisbury Sound: 1988–1991 and

2003–2019. From 1964 through 1987 only a minor amount of herring spawn was documented in three of those years. It is not understood what factors might have lead to the occurrence or, conversely, the disappearance of spawning in Salisbury Sound but it is assumed that the expanding population and resultant dispersal of population segments resulted in the utilization of spawning habitats, such as Salisbury Sound, further from the core spawning areas of Sitka Sound.

Department observations have frequently noted the occurrence of large volumes of herring and numerous herring predators moving between Sitka Sound and Salisbury Sound prior to spawning activity. Cumulative herring spawn from Sitka Sound transitions directly into Salisbury Sound, whereas there is a gap between spawn that has occurred in Hoonah Sound and Salisbury Sound (Figure 167.1). In view of these considerations and the proximity of spawn distributions, the department has viewed spawning in Salisbury Sound as an extension of the Sitka Sound spawning population. As such, the department has historically included Salisbury Sound herring spawn in the assessment of the Sitka Sound spawning stock. The department has opened areas of Salisbury Sound in Section 13-A to herring sac roe seining during six seasons in the history of the fishery (Table 167-1).

The department began monitoring the Hoonah Sound herring population in 1971. Since 1985, the herring spawning stock has averaged 8.3 nmi of spawn and an estimated average spawning biomass of 4,616 tons. The highest recorded escapement biomass occurred in 2008 with an estimated 14.5 nmi of spawn and an escapement of 19,975 tons based on the spawn deposition survey. However, for the last five years (2016–2020), the department has observed no spawn in Hoonah Sound. Based on many years of observing spawn patterns in Hoonah Sound and Salisbury Sound, without observing a connection between the two, the department considers Hoonah Sound herring to be separate from herring spawning in Salisbury Sound.

The timing of herring spawning activity is different between Hoonah Sound and Sitka Sound. Historically, spawn timing in Sitka Sound occurs from late-March through mid-April. The areas outside of the core Sitka Sound spawning area (i.e., Salisbury Sound and Goddard area) are typically the last places to receive herring spawn during the spawning event. In Hoonah Sound, the timing of the herring spawn is usually between mid-April and mid-May.

In 1990, when Hoonah Sound became an SOK fishery, the minimum threshold at which a fishery could occur was reduced from 2,000 tons to 1,000 tons. In 2015, to be more consistent with similar sized stocks around the region, the threshold in Hoonah Sound was increased to 2,000 tons. Due to low estimates of spawning biomass, the Hoonah Sound SOK fishery has not been prosecuted since 2012. Herring spawn has not been observed in Hoonah Sound from 2016–2020; however, comprehensive aerial surveys have not been conducted during this timeframe due to funding restraints. There is currently no evidence to suggest that the Hoonah Sound population of herring relocated to Salisbury Sound or that herring spawning in Salisbury Sound may ultimately move to Hoonah Sound.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department considers Salisbury Sound to be within the extent of the Sitka Sound stock and allowing additional harvest pressure in Salisbury Sound could effectively increase exploitation rates of the Sitka Sound stock above the 20% maximum harvest rate. The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 167-1.—Total Sitka Sound commercial sac roe herring harvest (including Section 13-A and 13-B) compared to Section 13-A harvest, 1999–2020.

Year	Total sac roe harvest (tons)	Section 13-A harvest (tons)	Percent of harvest from Section 13-A
1999	9,218	262	3%
2002	9,788	986	10%
2006	9,967	4,244	43%
2012	13,232	3,551	27%
2013 ^a	5,688	—	—
2016	9,769	829	8%
Average	9,610	1,648	15%

^aHerring harvest from Section 13-A in 2013 is confidential.

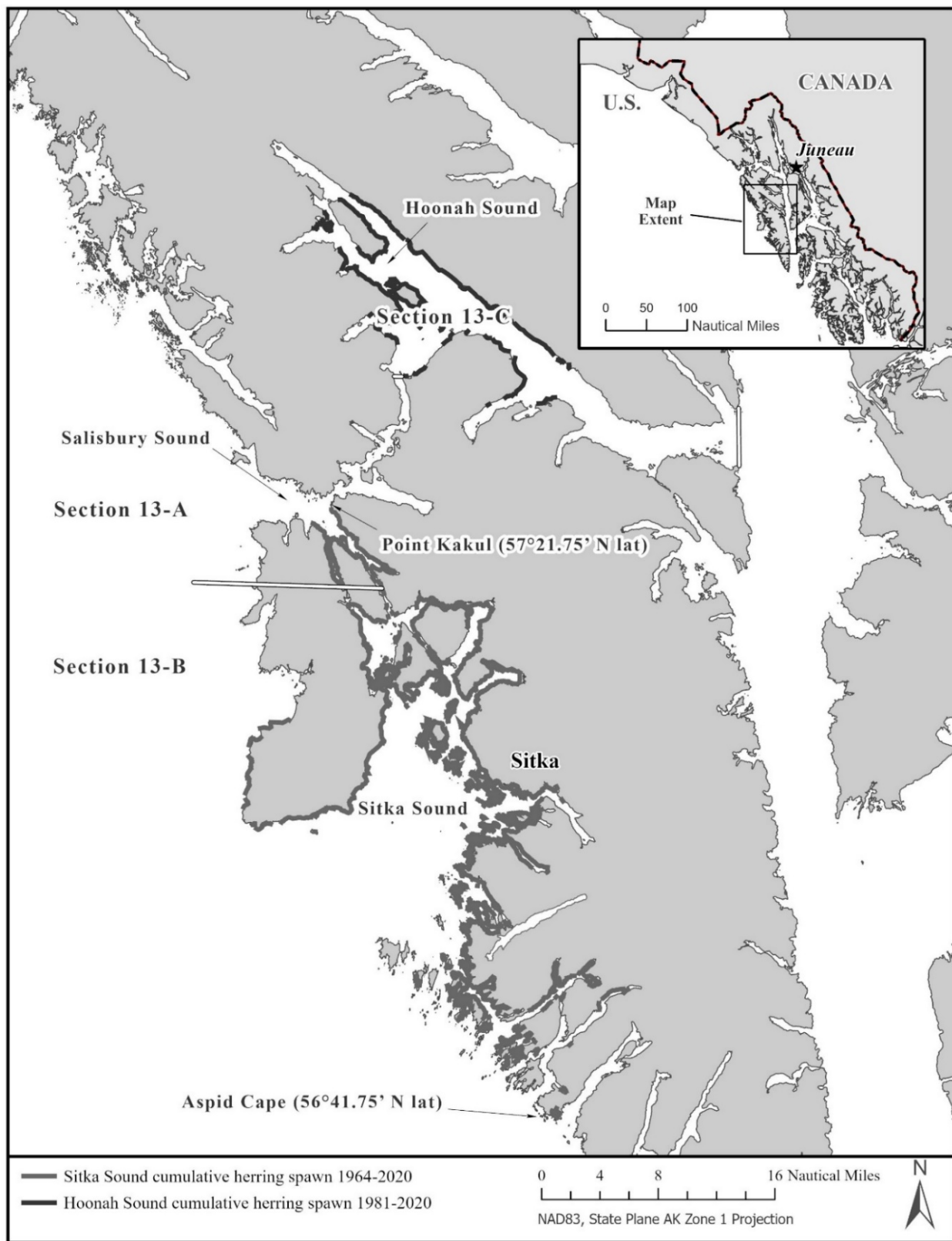


Figure 167-1.—Sitka Sound sac roe fishery area (Sections 13-A/B) and Hoonah Sound spawn-on-kelp fishery area (Section 13-C) and historical spawn shoreline.

PROPOSAL 168 – 5 AAC 27.110. Fishing seasons for Southeastern Alaska Area.

PROPOSED BY: Don Westlund.

WHAT WOULD THE PROPOSAL DO? Repeal regulations allowing the Revilla Channel (Kah Shakes) set gillnet herring sac roe fishery in Section 1-F.

WHAT ARE THE CURRENT REGULATIONS? Current regulations provide for a herring sac roe set gillnet fishery in the waters of Section 1-F south and east of a line from Point Sykes to Twin Island Light to Form Point and north of a line from Form Point to Foggy Point (Figure 168-1). This fishery can open when the biomass forecast is greater than 6,000 tons of mature herring.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Repealing the Section 1-F gillnet sac roe fishery would eliminate opportunity for a set gillnet herring sac roe permit holder to commercially harvest herring in state waters on the Revilla Channel herring stock.

BACKGROUND: The Revilla Channel herring stock supported commercial set gillnet herring sac roe fisheries in state waters from 1976–1998, in an area commonly known as Kah-Shakes/Cat Island. Harvests during this period ranged from 424 to 3,239 tons. Although no commercial harvest has occurred in state waters since 1998, the department continues to monitor the Revilla Channel herring stock through aerial surveys and when a large number of observed nautical miles of spawn are observed, a spawn deposition dive survey may be conducted. A commercial set gillnet fishery occurred in the waters of the Annette Island Reserve (AIR) through 2007, where the state has no jurisdiction. The fishery in the AIR is directly adjacent to state waters and approximately 4.0 nautical miles (nmi) from Cat Island (Figure 168-1). Herring spawn in state waters has remained at low levels since 1998, but the observed nautical miles of spawn has increased in recent years, while the herring spawn in the AIR has decreased.

In 2015, there were 11.9 nmi of herring spawn documented through aerial surveys. A spawn deposition dive survey was conducted for the first time since 2001; the spawning biomass was estimated to be 8,432 tons, above the minimum threshold of 6,000 tons required for a commercial fishery. Due to a prolonged period of low herring spawn observed prior to 2015 and no age-weight-length (AWL) samples collected for a formal stock assessment, the department chose to forego a forecast for 2016 and continued to monitor the stock to see if it remained above threshold for consecutive years.

Beginning in 2016, the department reduced its herring stock assessment program for several stocks in Southeast due to budget cuts. Revilla Channel was one of several stocks where egg deposition dive surveys and sampling were suspended. Aerial surveys continued with spawn averaging 8.0 nmi and ranging from 11.9 nmi to 1.1 nmi over the past 5 years (Table 168-1). In 2020, there were 11.3 nmi of spawn observed; a spawn deposition survey occurred but the estimate was below the minimum threshold of 6,000 tons and no formal forecast was made.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Given the volatility of this stock and the low abundance of herring observed in Revilla Channel over the last 20 years, the department would need to ensure that the stock met threshold for consecutive years before considering a fishery. If annual forecasts indicated the stock were above

threshold for multiple years, the department would try to verify forecasts by conducting extensive surveys inseason, both aerial and sonar, prior to opening a fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

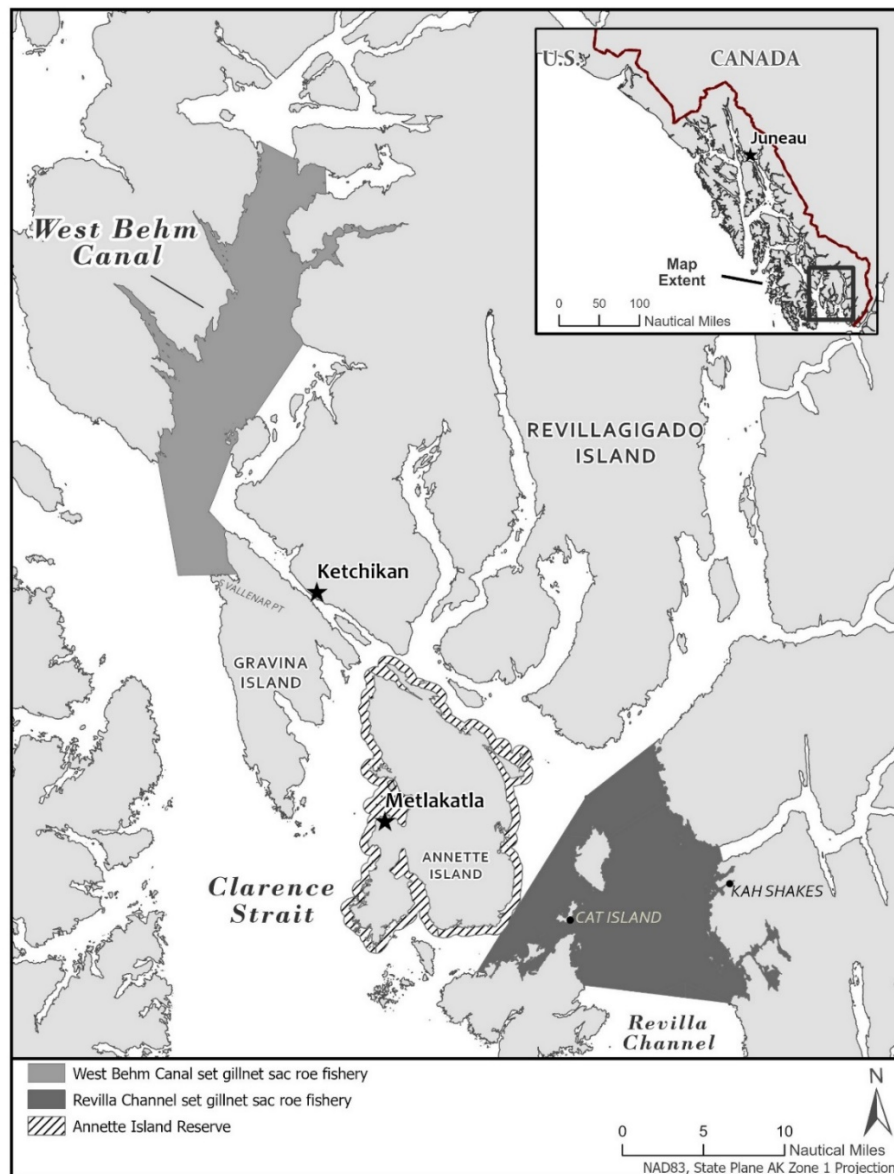


Figure 168-1.—Revilla Channel and West Behm Canal set gillnet sac roe open areas.

Table 168-1.—Nautical miles of spawn documented by the department in the Ketchikan area by stock group, 1995–2020.

Year	West Behm Canal	Revilla Channel	Annette Island	Ketchikan Area Total
1995	10.0	10.8	4.0	24.8
1996	16.2	9.8	20.0	46.0
1997	24.0	14.7	3.0	41.7
1998	23.5	9.2	4.5	37.2
1999	25.6	6.4	12.0	44.0
2000	16.4	10	5.7	32.1
2001	17.2	2.2	10.7	30.1
2002	18.0	0	4.0	22.0
2003	19.5	4.5	25.3	49.3
2004	8.3	0	40.7	49.0
2005	8.6	0	10.4	19.0
2006	3.8	3	9.1	15.9
2007	15.2	0	15.5	30.7
2008	11.0	0.1	14.6	25.7
2009	16.7	0	7.5	24.2
2010	15.9	0	7.6	23.5
2011	17.9	0.4	5.8	24.1
2012	7.3	3.5	2.6	13.4
2013	2.3	0.7	10.0	13.0
2014	7.2	1	2.9	11.1
2015	1.7	11.9	0.0	13.6
2016	4.3	11.9	0.6	16.8
2017	0.7	6.6	0.0	7.3
2018	2.9	1.2	0.0	4.1
2019	4.2	5.5	0.9	10.6
2020	3.0	11.2	1.0	15.2

PROPOSAL 169 – 5 AAC 27.110. Fishing seasons for Southeastern Alaska Area.

PROPOSED BY: Don Westlund.

WHAT WOULD THE PROPOSAL DO? This would repeal regulations allowing the West Behm Canal set gillnet herring sac roe fishery in the Section 1-E and Section 1-F north of the latitude of South Vallenar Point.

WHAT ARE THE CURRENT REGULATIONS? Current regulations provide for a commercial herring gillnet sac roe fishery in the waters of Section 1-E and in those waters of Section 1-F north of the latitude of South Vallenar Point (Figure 168-1). This fishery would only occur when the surveyed biomass is forecasted to be above 6,000 tons of mature herring.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would close commercial sac roe herring fishing in Section 1-E and in those waters of Section 1-F north of the latitude of South Vallenar Point, which is commonly referred to as the West Behm Canal herring stock (Figure 168-1).

BACKGROUND: Historically, Section 1-E (West Behm Canal) was designated as a winter bait area for harvest by purse seine gear. Recorded bait harvest occurred in West Behm Canal in 1962/63, 1967/68, and between the years of 1976 and 1980. Bait harvest ranged from a low of 36 tons in 1963 to a high of 596 tons in 1978/79.

Purse seine sac roe fisheries were allowed in West Behm Canal in 1969, 1973, and 1976, with a harvest of 39 to 468 tons. Most of the fishing activity was confined to the Helm Bay portion of West Behm Canal.

From 1976 to 1984, Section 1-E was designated as a set gillnet sac roe fishery. The only fishery that occurred was in 1976, when 26 tons were harvested. In 1984, the board closed the fishery due to the small stock size.

The West Behm Canal herring population increased in the 1990s, prompting the board to pass regulations in January 2003 to open the area (Section 1-E and portions of Section 1-F) for sac roe herring fishing and bait pound operation. The plan included an annual, alternating fishing schedule between set gillnet and purse seine gear in years the threshold level was met, with the first fishery being set gillnet. Due to the difficulty of managing the purse seine fishery on a small GHL, regulations included provisions that required a cooperative fishery in years when purse seine fishing gear was allowed. Regulations allowed a purse seine fishery only under the terms of cooperative fishery management plan that had to be accepted by all permit holders by January 15 or no fishery would occur.

In 2011, the biomass forecast exceeded the 6,000 ton threshold resulting in a GHL of 1,418 tons for the set gillnet sac roe fishery. A minimum gillnet fleet was present on the grounds and the fishery was opened. However, most of the herring spawn occurred in regulatory closed waters and minimum confidential harvest occurred from 5 permit holders.

In 2012 the board removed purse seine gear from the West Behm Canal fishery. The department has continued to monitor the West Behm Canal stock through aerial surveys but has not conducted

spawn deposition surveys due to low observed mileage and budget constraints. Since 2011, the observed nautical miles of spawn in the West Behm Canal area has averaged 3.7 nmi (Table 168-1).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. Given the historical volatility of this stock and the low abundance of herring observed in West Behm Canal over the last 10 years, the department would need to ensure that the stock met threshold for consecutive years before considering a fishery. If the stock were to be above threshold for multiple years, the department would conduct extensive surveys prior to opening a fishery, both aerial and sonar, to ensure that an adequate biomass was available in the area.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 233 – 5 AAC 33.200. Fishing districts and sections.

PROPOSED BY: Southeast Herring Conservation Alliance.

WHAT WOULD THE PROPOSAL DO? The proposal seeks to remove Sections 13-A and 13-B from the Commercial Fisheries Entry Commission (CFEC) administrative areas for the northern spawn on kelp fishery (L21A).

WHAT ARE THE CURRENT REGULATIONS? The Sitka Sound herring sac roe purse seine fishery is currently the only herring sac roe purse seine fishery allowed in regulation in Southeast Alaska. The fishery may occur in Section 13-A south of the latitude of Point Kakul at 57°21.75' N lat, and in Section 13-B north of the latitude of Aspid Cape at 56°41.75' N lat, except for Whale and Necker Bays (Figure 167-1).

The northern spawn on kelp (SOK) fishery may occur in Section 12-A (Tenakee Inlet) and in Section 13-C (Hoonah Sound) north and west of a line from Point Marie at 57°21.75' N lat, 57°21.75' W long to a point on the north shore of Hoonah Sound at 57°21.75' N lat, 57°21.75' W long.

The CFEC regulations defining administrative areas for the northern Southeast Alaska SOK fishery are described in 20AAC 5.230(a)(3) which defines the administrative area as Southeast Alaska and 20AAC 5.230(a)(9) which further defines the Northern SOK permit administrative area as regulatory Districts 9–16 as described in 5AAC 33.200.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The board cannot change CFEC administrative areas, the board can allocate fisheries within those administrative areas.

If the CFEC were to remove Sections 13-A and 13-B from the administrative area for the Northern SOK fishery, there would be no effect on current fisheries. The board would lose the ability to reallocate all or a portion of the Sitka Sound herring GHF to the Northern SOK fishery.

BACKGROUND: Regulations establishing herring sac roe areas for set gillnet and purse seine fisheries were adopted in 1975 and in 1990 regulations were established for the Northern SOK fishery. There has been no overlap of SOK and purse seine sac roe fishing areas. There have been numerous proposals before the board seeking to allow purse seine sac roe permit holders the option to use open pounds in Sitka Sound rather than harvesting by seine for sac roe.

The Sitka Sound herring GHF has not been fully harvested since 2017. In recent years, this is attributable to the market demands for Sitka Sound sac roe herring. In 2019 and 2020, no harvest occurred and in 2018, 2,900 of the 11,100 ton GHF was harvested.

The Northern SOK fishery occurs in Hoonah Sound (Section 13-C) and in Tenakee Inlet (Section 12-A). The Hoonah Sound fishery has not occurred since 2012 due to the stock not meeting the minimum spawning biomass threshold. Tenakee Inlet has had periodic fisheries, the last fishery occurring in 2014. Unlike Hoonah Sound, Tenakee Inlet is first a winter food and bait fishery and if there is adequate GHF remaining after the food and bait season, the SOK fishery may occur.

However, winter food and bait harvest has been minimal and the lack of SOK fisheries is due to the stock not meeting the minimum spawning biomass threshold.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SESSION TWO – GROUND FISH AND ALL SHELLFISH

COMMITTEE OF THE WHOLE – GROUP 6: COMMERCIAL, SUBSISTENCE, SPORT, PERSONAL USE GROUND FISH (Chair TBD)

Commercial, Subsistence, Personal Use and Sport Groundfish (18 Proposals)

PROPOSAL 215 – 5 AAC 28.110. Sablefish fishing seasons for Eastern Gulf of Alaska Area.

PROPOSED BY: John Johanson.

WHAT WOULD THE PROPOSAL DO? This would lengthen the current sablefish seasons for both the Northern Southeast Inside (NSEI) Subdistrict longline and Southern Southeast Inside (SSEI) Subdistrict pot and longline gear fisheries with an opening date that coincides with the federal Individual Fishing Quota (IFQ) sablefish fishery that opens early to mid-March and closes on November 15.

WHAT ARE THE CURRENT REGULATIONS? The NSEI sablefish commercial fishery season is open from August 15 through November 15 for longline gear only, and the SSEI sablefish commercial fishery season is open from June 1 until November 15 for both pot and longline gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would create an extended NSEI and SSEI sablefish commercial fishery season to coincide with the federal IFQ sablefish fishery, opening early to mid-March and closing on November 15. The department would not be able to utilize the current stock assessment program to make informed decisions on setting annual harvest limits and department surveys would need to be redesigned to capture useful data for management.

BACKGROUND: State managed sablefish fisheries occur in NSEI (Chatham Strait) and SSEI (Clarence Strait and adjacent waters of Dixon Entrance). Since the 1900s, sablefish have been harvested in the internal waters of Southeast Alaska, caught primarily as bycatch in the halibut fisheries until the 1940s. Between the 1940s and 1970s, catches fluctuated widely due to low prices and better opportunities in other fisheries. With high market prices, sablefish harvests rapidly increased, and regulatory limitations on fishing seasons and harvest levels were subsequently developed. Season limitations were first imposed in 1945 for the NSEI management area and in 1982 for the SSEI area. Guideline harvest ranges (GHR) were established for both fisheries in 1980 based on historical catches, and in 1985, a limited entry program began for both the NSEI and SSEI sablefish fisheries. To stay within the GHRs amidst increasing vessel efficiencies, the department continued to reduce the number of fishing days in both areas, eventually dropping to just one day openings in NSEI from 1987–1993 and a two day season for SSEI in 1995 and 1996. To improve management, the board adopted an equal quota share (EQS) system for the NSEI fishery beginning in 1994, and a similar EQS system for the SSEI fishery in 1997. The EQS was made permanent in 1997 for both NSEI and SSEI sablefish fisheries based on fleet and department recommendations. In 2020, there were 75 permits eligible to fish the NSEI fishery and 22 permits for the SSEI fishery.

To assess relative abundance of sablefish over time in each area, the department began conducting annual longline research surveys in 1988. The surveys occur before the opening of the commercial

fishery to determine sablefish population composition just prior to the fishery: the SSEI annual survey occurs in late April or early May while the NSEI survey occurs in late July or early August. During the annual longline relative abundance surveys, length, weight, sex, stage of maturity, and age data are also collected. These data are used to describe the age/size structure of the populations and recruitment events. In addition to the annual longline surveys, the department has conducted an annual or bi-annual mark-recapture survey in NSEI since 1997 to estimate absolute abundance and provide release and recapture locations for tagged fish, which are important in estimating migration rates and understanding movement patterns between internal waters and the Gulf of Alaska, Bering Sea, Aleutian Islands, and British Columbia. These survey and fishery data are used to set the annual harvest objective (AHO) for the following year.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department would not be able to utilize historical and annual survey information for NSEI and SSEI to inform stock assessments and management decisions due to survey results being impacted by fishery removals occurring prior to and concurrently with annual surveys.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery or additional costs for the department.

PROPOSAL 216 – 5 AAC 28.110. Sablefish fishing seasons for Eastern Gulf of Alaska Area.

PROPOSED BY: John Johanson.

WHAT WOULD THE PROPOSAL DO? This would extend the Southern Southeast Inside (SSEI) Subdistrict sablefish pot fishery by one month, from November 15 to December 15, creating a separate 30-day season for pot gear only.

WHAT ARE THE CURRENT REGULATIONS? The SSEI commercial sablefish fishery season is open June 1–November 15 for both longline (C61C) and pot (C91C) permit holders. Those with a C61C permit or a C91C permit are currently able to fish with pot gear during the entire season from June 1 through November 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would create a season for pot gear only from November 15 through December 15. This proposal would have a negative impact on sablefish stocks in SSEI by allowing harvest of sablefish during the winter/spring spawning period and could potentially lead to recruitment overfishing.

BACKGROUND: Sablefish have been harvested in Southeast Alaska’s inside waters since the 1900s, primarily as bycatch in the halibut fishery. Once directed sablefish fisheries developed, fisheries were open year-round until the 1940s, when declines in catch per unit effort (CPUE) and average weight prompted a closure from December 1–March 15 to protect sablefish during the winter spawning season. Harvests fluctuated considerably until high market prices led to substantial sablefish harvests in the 1970s. In 1980, guideline harvest ranges (GHR) were established for the SSEI sablefish fishery based on historical catches, and in 1985, a limited entry program began. The equal quota share (EQS) system started in 1997 with each eligible permit holder given an equal portion of the annual harvest objective (AHO). A total of 35 permits (30 longline and five pot permits) were authorized to participate. Due to gear entanglement issues, separate seasons were established for the longline (1.5 months) and pot fisheries (2.5 months). In 2000, the SSEI longline fishery was extended to the same length of the pot fishery, and in 2018, longline and pot fishery seasons were combined from June 1–November 15. In 2017, the CFEC approved a petition from industry to allow SSEI sablefish C61C permits to be changed to be longline/pot permits due to whale depredation issues and concerns in the longline fishery that was implemented the following season. Since 2018, C61C permits have the flexibility to fish both gear types, while C91C permits remain as pot permits only. As of 2020, all permit holders are eligible to fish in the pot fishery of which 19 permit holders are longline/pot permits and three are pot permits only.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Sablefish fisheries are managed with specific seasonal openings to protect sablefish stocks during spawning periods. Extending the SSEI pot fishery season by one month would create season length allocations based on gear type and infringe on sablefish spawning periods, which begin in November, and has the potential to cause recruitment overfishing. The federal Gulf of Alaska sablefish individual fishing quota (IFQ) fishery has closed 1995–2020 by mid-November.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery or additional costs for the department.

PROPOSAL 217 – 5 AAC 28.165. Lingcod allocation guidelines for Eastern Gulf of Alaska Area.

PROPOSED BY: Craig Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would reallocate 5% of the commercial lingcod guideline harvest level (GHL) from groundfish jig bycatch (mechanical jig and hand troll) to salmon troll bycatch fisheries in the Southern Southeast Outer Coast (SSEOC) Sector as follows: reduce the jig bycatch allocation from 7% to 2% and increase the salmon troll bycatch allocation from 2% to 7%.

WHAT ARE THE CURRENT REGULATIONS? Regulation 5 AAC 28.160(e) defines lingcod guideline harvest levels (GHL) by management area and regulation 5 AAC 28.165 allocates the annual GHL of each management area among the commercial directed lingcod fishery, the commercial bycatch fisheries (salmon troll, longline, and groundfish jig), and the sport fishery (Table 217-1, Figure 217-1). In SSEOC, the lingcod GHL is managed within 0–167,000 round pounds, with 30% allocated to the directed lingcod fishery, 44% to the sport fishery, 17% to bycatch in the commercial longline fishery, 7% to bycatch in the commercial groundfish jig fishery, and 2% to bycatch in the commercial salmon troll fishery. Lingcod may be taken in the directed commercial fishery, salmon troll bycatch fishery, and groundfish jig bycatch fishery from May 16 until the allocation is taken, or November 30, whichever occurs first. Longline fishers may retain lingcod as bycatch starting on January 1; however, the primary source of longline bycatch comes from the halibut fishery, which typically begins in March. Bycatch allowances are set by emergency order and are based on the round weight of the target species. For all directed and bycatch commercial fisheries for lingcod, retained lingcod must measure at least 27 inches from the tip of the snout to the tip of the tail, and undersized lingcod must be returned to the water immediately without further harm.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL IS ADOPTED? Groundfish jig bycatch quota for lingcod would be reduced from 7% (11,690 round pounds) to 2% (3,340 round pounds), and the salmon troll bycatch quota would be increased from 2% (3,340 round pounds) to 7% (11,690 round pounds). For the SSEOC area, this could potentially extend the troll bycatch retention period, increase lingcod bycatch harvest, and decrease the amount of lingcod discarded in the troll fishery. It would subsequently reduce the allowable harvest of lingcod in the SSEOC groundfish jig bycatch fishery, but based on recent harvest this would likely not constrain the fishery.

BACKGROUND: Prior to the inception of the directed lingcod fishery in 1987, lingcod landed in the Southeast District were captured incidentally in fisheries targeting other species. The directed lingcod fishery steadily grew from the late 1980s through the 1990s, with a major expansion of the fishery occurring in 1995 in the East Yakutat Section (EYKT), primarily the Fairweather Grounds. Lingcod have been managed using GHLs and fishery allocations since the early 1990s. With declines in the directed lingcod fishery commercial catch per unit effort (CPUE) in 2000, the board took significant action on lingcod fishery management by adopting regulations that reduced lingcod GHLs, included sport harvest in the total GHLs, allocated lingcod among fisheries and areas, defined an additional subdistrict (Icy Bay Subdistrict; IBS), required

registration for the directed fishery, and provided emergency order authority to the department to set trip limits.

For the period of 2001 through 2020, the commercial salmon troll fishery exceeded the SSEOC lingcod commercial salmon troll bycatch allocation nine years (Table 217-2). Lingcod bycatch was closed in the commercial troll fishery in SSEOC 12 out of the past 20 years, typically during the month of August except 2017 (September closure) and 2018 (July closure). The SSEOC groundfish jig bycatch allocation has never been met, and only two years reported any harvest (confidential).

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal.

COST STATEMENT: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery or additional costs for the department.

Table 217-1.—Lingcod allocations (round pounds) by fishery and management area.

Area	IBS	EYKT	NSEO	CSEO	SSEOC	NSEI	SSEIW
GHL	100,000	225,000	40,000	240,000	167,000	32,000	52,000
Directed fishery	46,000	111,000	17,200	86,400	50,100	0	0
Longline bycatch	12,670	94,000	10,800	55,200	28,390	9,600	2,080
Salmon troll bycatch	8,000	16,000	3,200	16,800	3,340	6,400	2,080
Groundfish jig bycatch*	0	0	0	9,600	11,690	0	0
Sport fishery	33,330	4,000	8,800	72,000	73,480	16,000	47,840

*Groundfish jig bycatch fishery limited to mechanical jigging machines and hand troll gear

Table 217-2.—Southern Southeast Outer Coast (SSEOC) Sector landed harvest (round pounds) by fishery and percent harvested of each fishery's annual allocation, 2001–October 1, 2020. Fishery allocations are listed in Table 217-1.

Year	Directed fishery		Longline bycatch		Troll bycatch		Jig bycatch	
	Harvest (rnd lb)	Percent of allocation	Harvest (rnd lb)	Percent of allocation	Harvest (rnd lb)	Percent of allocation	Harvest (rnd lb)	Percent of allocation
2001	6,966	14%	24,756	87%	1,095	33%	0	0%
2002	10,261	20%	26,475	93%	684	20%	0	0%
2003	48,762	97%	25,930	91%	3,106	93%	0	0%
2004	*	*	24,515	86%	3,561	107%	0	0%
2005	0	0%	12,707	45%	2,383	71%	0	0%
2006	16,646	33%	15,774	56%	3,877	116%	0	0%
2007	*	*	15,236	54%	3,383	101%	0	0%
2008	*	*	20,864	73%	1,677	50%	0	0%
2009	*	*	18,710	66%	4,677	140%	0	0%
2010	14,189	28%	29,934	105%	2,586	77%	0	0%
2011	*	*	13,103	46%	4,044	121%	0	0%
2012	2,778	6%	10,138	36%	3,439	103%	0	0%
2013	4,813	10%	25,878	91%	3,013	90%	*	*
2014	0	0%	14,081	50%	986	30%	0	0%
2015	8,105	16%	6,867	24%	3,735	112%	0	0%
2016	*	*	13,085	46%	5,054	151%	*	*
2017	22,602	45%	15,099	53%	3,447	103%	0	0%
2018	31,167	62%	25,820	91%	2,937	88%	0	0%
2019	53,490	107%	25,857	91%	2,766	83%	0	0%
2020	53,566	107%	9,734	34%	2,342	70%	0	0%

* Confidential harvest omitted

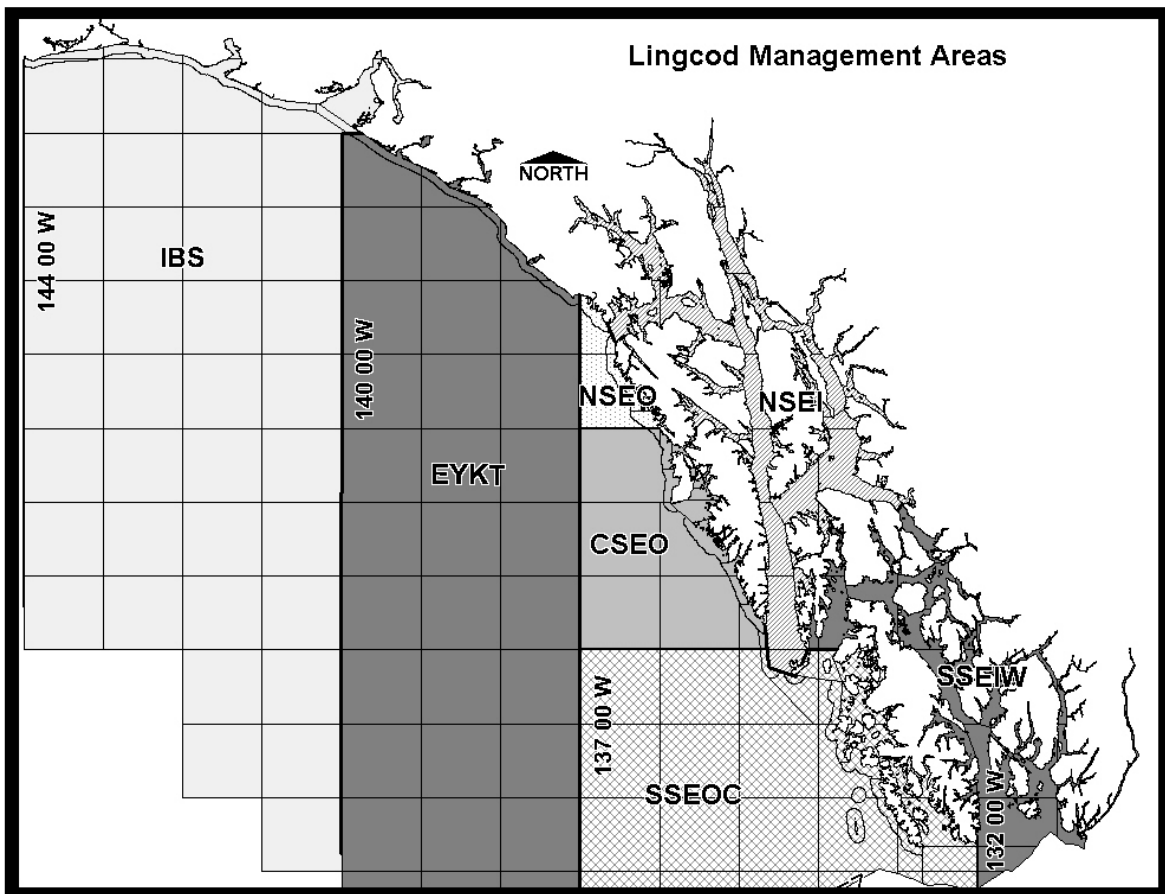


Figure 217-1.—Southeast Alaska Lingcod Management Areas.

PROPOSAL 218 – 5 AAC 28.106. Eastern Gulf of Alaska Area registration.

PROPOSED BY: Alaska Department of Fish & Game.

WHAT WOULD THE PROPOSAL DO? This would require the vessel owner or the owner's authorized agent to register the vessel with the department prior to fishing in the directed Pacific cod fishery, consistent with all other groundfish fisheries listed in this regulation.

WHAT ARE THE CURRENT REGULATIONS? The current regulatory language does not require vessel registration for the directed Pacific cod fishery in Southeast Alaska.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Requiring vessels to register would help ensure successful management of the fishery by providing an accurate estimate of the number of vessels fishing and their intentions for delivery. This would assist with scheduling staff for port sampling landings to collect biological data such as length, weight, sex, and age that are used to inform managers on stock health and management decisions. Without registrations, the department does not have a full accounting of vessels participating in the fishery prior to landings, and this can result in either underharvest or overharvest within a management area. Requiring registrations for the directed Pacific cod fishery will also create consistency among directed groundfish fishery requirements, which include requiring vessel registrations for each fishery.

BACKGROUND: A guideline harvest range (GHR) was implemented in 1994 to establish state management authority of Pacific cod in the Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI) Subdistricts. The GHR was set at 750,000–1,250,000 round pounds for both areas combined based on traditional harvest patterns and to allow for potential expansion of the fishery if additional harvest was deemed sustainable. Since 1997, logbooks have been required in the directed Pacific cod fishery, allowing for more accurate harvest tracking and management. In 2000, the board limited gear for the harvest of Pacific cod to longline, dinglebar troll, hand troll, mechanical jigs, and pot gear. Longline gear is the primary gear used in the directed Pacific cod fishery in Southeast. In 2012, the board defined the open fishing period for the Pacific cod fishery as January 1–December 31, eliminating the need to open and close the fishery by emergency order.

The GHR is managed based on harvest from the directed Pacific cod fishery as well as bycatch taken in other NSEI and SSEI commercial fisheries including the halibut, demersal shelf rockfish (DSR), and sablefish fisheries. The directed fishery for Pacific cod has remained open year-round in state waters since the adoption of the GHR in 1994; however, geographic area closures have been implemented over the years to distribute effort and harvest and prevent localized depletion. Management decisions are based on a seasonal harvest period of July 1–June 30 to avoid overharvest of Pacific cod during winter spawning aggregations. There are no department stock assessment surveys for Pacific cod in Southeast Alaska.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery or additional costs for the department.

PROPOSAL 219 – 5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would allow rockfish (genus *Sebastes*) to be taken as bycatch in pot gear and sold per allowable bycatch limits.

WHAT ARE THE CURRENT REGULATIONS? The current regulatory language does not allow for rockfish species of the genus *Sebastes* to be taken by pot gear and sold per allowable bycatch limits. Only shortspine thornyhead and longspine thornyhead (genus *Sebastolobus*) rockfish may be taken by pot gear.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A vessel or Commercial Fisheries Entry Commission (CFEC) permit holder fishing for groundfish with pot gear would be required to retain, weigh, and report all rockfish taken, and rockfish could be sold up to the allowable bycatch limit based on the round weight of the target species and bycatch species on board the vessel. All rockfish retained in excess of allowable bycatch limits must be reported as bycatch overage on the fish ticket, with proceeds from the sale of excess rockfish bycatch surrendered to the state. Excess rockfish retained due to full retention requirements may be retained for personal use; however, the pounds must be documented as overage on the fish ticket.

Accurate accounting of rockfish mortality by area is needed to improve harvest tracking and management of rockfish, as logbook data does not adequately account for bycatch mortality by species. Requiring CFEC permit holders using pot gear who fish for groundfish in the Southeast District to retain and land all rockfish will allow for better accounting of mortality and reduce wastage, which occurs when rockfish are discarded at sea.

BACKGROUND: Most rockfish have a closed swim bladder and suffer embolism mortality when brought to the surface. Regulations have been developed to reduce the at-sea discard of rockfish due to their high post-release mortality. Full retention regulations were adopted at the 2000 board meeting, requiring all rockfish caught in internal waters, and all demersal shelf rockfish (DSR) and black rockfish in state waters, to be weighed and reported on fish tickets. Full retention of DSR and black rockfish has been required in groundfish and halibut fisheries in federal waters since 2005.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Because most hook and line, pot, and jig vessels are unobserved, full retention and reporting are necessary to account for total mortality of rockfish and to improve management of rockfish. This proposal mirrors federal rockfish retention requirements to provide better estimates of rockfish catch, to reduce waste and incentives to discard, and to maintain consistency between state and federal fisheries management.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery or additional costs for the department.

PROPOSAL 220 – 5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

PROPOSED BY: Dawn Gillman.

WHAT WOULD THE PROPOSAL DO? This seeks to allow longlined pot gear as a lawful gear type for the Northern Southeast Inside (NSEI) Subdistrict sablefish fishery.

WHAT ARE THE CURRENT REGULATIONS? The NSEI sablefish fishery (C61A) is currently limited to longline gear only with the commercial fishery season open from 8:00 a.m. August 15 until 12:00 noon November 15.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow longlined pot gear to be a lawful gear for the NSEI sablefish fishery, aligning with other state and federally managed sablefish fisheries in Alaska.

BACKGROUND: There are two distinct state managed sablefish fisheries in Southeast Alaska: NSEI and Southern Southeast Inside Subdistrict (SSEI, Figure 220–1). Pot gear was first allowed in 1970 in the NSEI and SSEI fisheries, accounting for 33% of the total harvest in the early 1970s. Beginning in 1982, the NSEI fishery was restricted to longline only, but pots were still permitted in SSEI. In 1994, the NSEI fishery adopted an equal quota share (EQS) system with 121 longline gear permits (C61A), and in 1997, the SSEI fishery adopted a similar EQS system with 30 longline permits (C61C) and 5 pot gear permits (C91C). Due to whale depredation issues and bycatch concerns in the longline fishery, CFEC approved a petition from industry in 2017, allowing SSEI sablefish C61C permits to be used with longline and/or pot gear the following season. At the 2018 Board of Fisheries meeting, a new regulation was adopted that allowed both gears to fish concurrently from June 1 until November 15. In 2020, the NSEI fishery had a total of 75 C61A permits eligible to fish, while the SSEI fishery had a total of 22 permits: 19 C61C and 3 C91C permits.

The department determines an annual harvest objective (AHO) for the NSEI fishery using a biomass estimate derived from a mark-recapture project with the use of pot gear, annual longline surveys conducted just prior to the commercial season, commercial fishery performance data, and biological data (age, weight, length, sex, and maturity). Based on the data from those surveys, bycatch is lower in pot gear than for longline gear (Figure 220-2). Primary incidental catch in the NSEI longline survey include halibut, Pacific cod, rockfishes, and skates, while common incidental catch in the NSEI pot survey are flounder and sole species (e.g., arrowtooth flounder and dover sole), halibut, rockfish species (e.g., thornyheads and shortrakers), and small macroinvertebrates (primarily sea stars entangled in pot webbing).

Pot gear is currently a legal gear type for directed harvest of sablefish in federally managed fisheries in the Bering Sea-Aleutian Islands (BSAI), in the Gulf of Alaska (GOA), and in the state managed fisheries of Prince William Sound (PWS) and SSEI. In 2017, pot gear was authorized for the commercial sablefish individual fishing quota (IFQ) fishery in the Gulf of Alaska due to concerns over whale depredation and bycatch when using hook-and-line fishing gear. Whale interactions result in unreported mortality of sablefish, increased uncertainty in stock assessments, and a reduction in the profitability of fishing operations.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal; however, there are pros and cons to consider. Pot gear is known to be selective for smaller sablefish which can lead to a proportionally high harvest of immature fish. A recent department study found that the presence of escape rings on pot gear can offset gear selectivity and have both biological and economic benefits by successfully minimizing catch rates of small, sexually immature sablefish, while maintaining catch rates of larger, sexually mature sablefish. Due to economic incentives to target large sablefish, permit holders are likely to sort their catch and release smaller fish captured in pot gear with less incidental gear induced mortality. Based on results of the research mentioned above, should the proposal be accepted, the department recommends the use of 9.5 cm (3.75 inches) minimum inside diameter escape rings, which effectively minimizes CPUE of small sablefish, thus reducing mortality from fishery discards as described in Proposal 221.

The department also has concerns regarding the potential for increased mortality by lost pot gear. The occurrence of “ghost fishing” by lost or derelict pot gear is well documented in other pot fisheries and can be a source of unquantified mortality of target and non-target species. In addition, although most sablefish grounds are on mud substrate, there may be some concern regarding an increase in biogenic (e.g., sponge and coral) habitat damage from pot gear versus longline gear.

Groundfish pot gear requires entrance tunnels to be 36 inches or less in perimeter which aids in mitigating bycatch of larger species such as, sleeper sharks, halibut, and skates. Additionally, a sidewall with an opening equal to or exceeding 18 inches in length that is secured with untreated cotton twine that is biodegradable is required on pot gear which allows escapement of species caught and decrease ghost fishing mortality if pot gear is lost. Should the proposal be adopted and permit holders choose to use pot gear, potential benefits compared to longline gear include decreased whale depredation, reduced injury to released sablefish and bycatch, and a lower overall bycatch harvest.

If the board adopts pot gear for the NSEI fishery, CFEC will need to be petitioned to amend NSEI C61A permit limited entry regulations because this permit is currently limited to longline gear only. This would be similar to the petition and review process that occurred for the SSEI fishery in 2017, in which C61C permits became a dual-purpose permit for both longline and pot gear.

The department would also like to clarify that should the addition of an alternate gear type be approved for NSEI, the fishery would be conducted within, and not inherently increase, the AHOs established by the department on an annual basis nor would this create an allocation between gear types as the fishery operates under the EQS system where each permit holder receives an equal share of the AHO each season.

COST ANALYSIS: Approval of this proposal would not result in any additional direct cost for a private person to participate in this fishery as the additional gear type is optional. Should a permit holder choose to fish pot gear, the additional cost would be for purchase of pots and associated gear. The department purchased a complete setup for two strings of 40 pots (~\$208.00 per pot), including buoy and trailer line, floating and sinking buoy line, groundline with beackets, bridles, C-links, etc. for approximately \$40,000 in 2011 for the Chatham Strait sablefish mark-recapture project; however, new styles of pots such as codcoils (also known as “slinky pots”) are

approximately \$160 per pot. Approval of this proposal is not expected to result in an additional cost for the department.

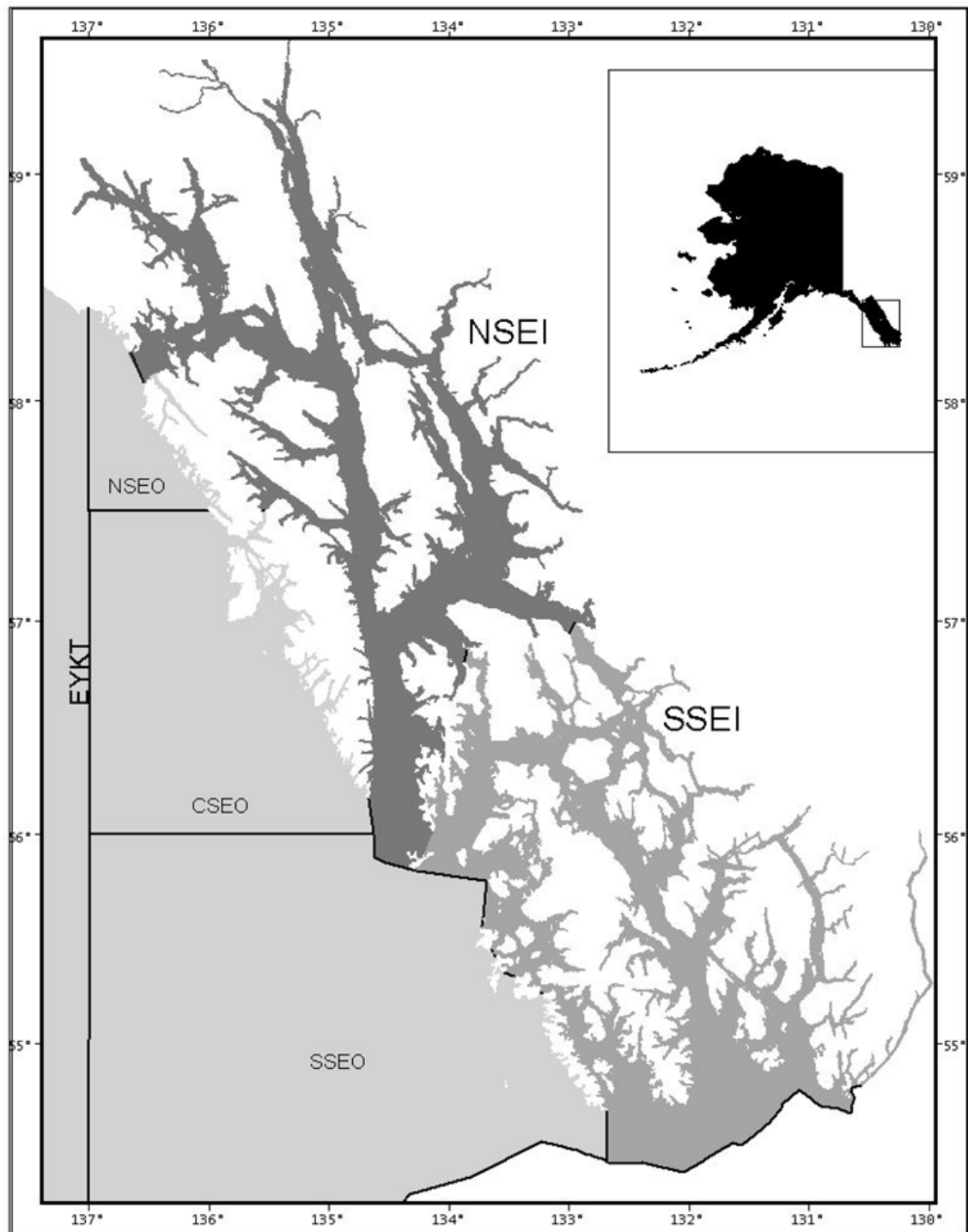


Figure 220-1.—Groundfish management areas in Southeast Alaska: Northern Southeast Inside (NSEI), Southern Southeast Inside (SSEI), East Yakutat (EYKT), Central Southeast Outside (CSEO), Northern Southeast Outside (NSEO), and Southern Southeast Outside (SSEO) Subdistricts.

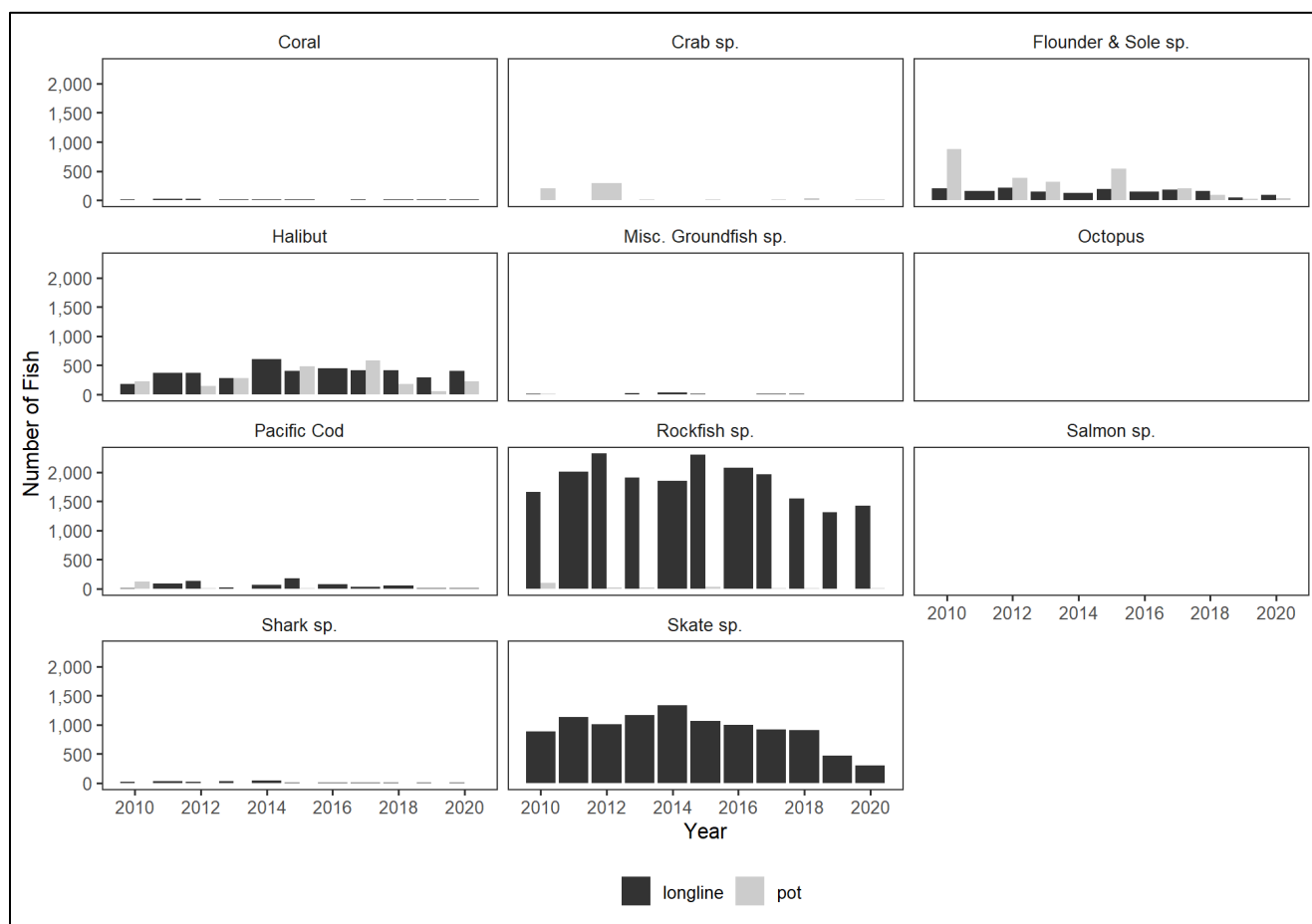


Figure 220-2.—Total number of fish caught as bycatch by gear type during annual department sablefish longline and pot surveys in NSEI, 2010–2020. Pot surveys did not occur in 2011, 2014, and 2016.

PROPOSAL 221 – 5 AAC 28.130. Lawful gear for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would reduce the minimum inside diameter of circular escape rings from 4.0 inches to 3.75 inches on pots used to take sablefish in the commercial sablefish fishery.

WHAT ARE THE CURRENT REGULATIONS? The current regulatory language states that pots used to take sablefish must have at least two circular escape rings with a minimum inside diameter of 4.0 inches installed on opposing vertical or sloping walls. Pot gear is currently allowed only in the Southern Southeast Inside (SSEI) Subdistrict state-managed sablefish fishery by C61C (longline and/or pot gear) and C91C (pot gear only) permit holders.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The size of the escape rings required in commercial sablefish pots would be reduced by 0.25 inch to 3.75 inches inside diameter. Incorporating an escape ring size of 3.75 inches into commercial sablefish pot gear would keep the catch of small, immature sablefish low while allowing for the catch of larger and more mature sablefish. Escape rings protect immature sablefish from discard mortality and help secure the future viability of the fishery. The proposed regulatory language would also be in line with the legal description of subsistence and personal use sablefish pot gear if this and Proposal 223 were both adopted.

BACKGROUND: The current regulatory language requires a minimum inside diameter of 4.0 inches for circular escape rings. This was based on estimated length at 50% maturity (L_{50} ; 63 cm) of sablefish in the Northern Southeast Inside (NSEI) Subdistrict and SSEI areas and supplemental research from British Columbia, Canada, which has a minimum escape ring size of 3.5 inches and an L_{50} of 55 cm. The proposed regulatory modification to reduce the minimum inside diameter of the escape ring size from 4.0 inches to 3.75 inches is based on results of an escape ring size selectivity study conducted during the department's sablefish marking pot survey in 2019 and 2020. This study tested size selectivity and capture efficiency of sablefish utilizing different escape ring sizes including 10.2 cm (4.0 inch), 9.5 cm (3.75 inch), 8.9 cm (3.5 inch), and no escape rings (control). Results suggest that relatively small increases in escape ring size cause large shifts in selectivity, with 3.75 inch escape rings providing the best compromise between reducing catch rates of small, immature sablefish, while maximizing selectivity and capture efficiency of large, mature sablefish (Figure 221-1). Escape rings greater than 3.75 inches may not provide any additional benefits.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery if C61C permit holders opt to utilize pot gear. Approval of this proposal would result in an additional direct cost for a private person to participate in this fishery if the permit holder has a C91C pot fishery permit and wishes to reduce their escape ring size from 4.0 inches to 3.75 inches. This additional cost would be to purchase two escape rings for each pot (approximately \$2 per ring). Approval of this proposal is not expected to result in an additional cost for the department.

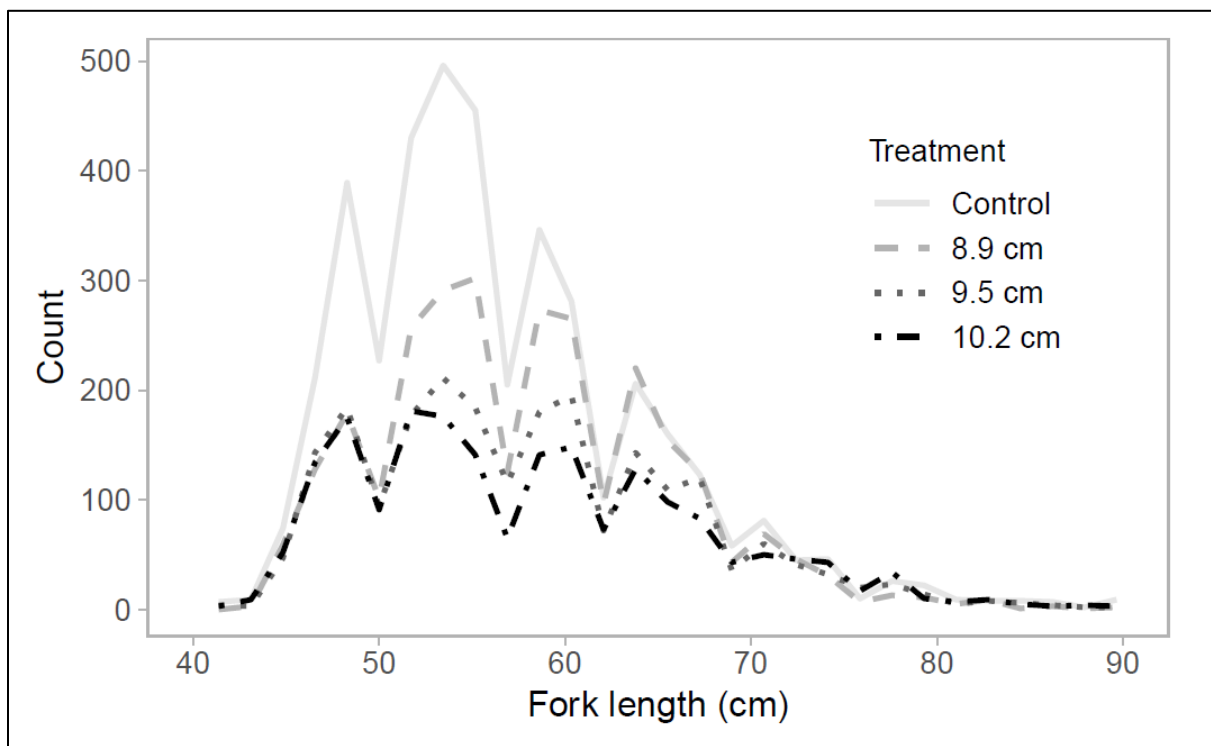


Figure 221-1.—Length frequency distributions obtained using different sizes of escape rings (Control = no escape ring).

PROPOSAL 222 – 5 AAC 28.171. Rockfish possession and landing requirements for Eastern Gulf of Alaska Area.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would require that a vessel or CFEC permit holder using hook-and-line, pot, or jig gear in the Eastern Gulf of Alaska area retain and land all rockfish (genus *Sebastes* and genus *Sebastolobus*) while fishing for groundfish or halibut. This would streamline rockfish retention requirements between state and federal regulations and reduce inconsistencies in bycatch allowances.

WHAT ARE THE CURRENT REGULATIONS? Current state retention regulations vary by area and rockfish species (only genus *Sebastes*). In the Southeast District, a CFEC permit holder fishing for groundfish or halibut must retain, weigh, and report all demersal shelf rockfish (DSR). In the Eastern Gulf of Alaska Area, a CFEC permit holder fishing for groundfish or halibut must retain, weigh, and report all black rockfish. In the Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI) Subdistricts, a CFEC permit holder fishing for groundfish or halibut must retain, weigh, and report all rockfish. All rockfish retained in excess of allowable bycatch limits must be reported as bycatch overage on a department fish ticket. All proceeds from the sale of excess rockfish bycatch shall be surrendered to the state. Excess rockfish retained due to full retention requirements may be retained for personal use; however, the pounds must be documented as overage on the fish ticket.

Current federal regulations for federal waters apply to all rockfish species (genus *Sebastes* and *Sebastolobus*). Effective March 23, 2020, federal regulations require that the operator of a federally-permitted catcher vessel using hook-and-line, pot, or jig gear in the exclusive economic zone (EEZ) of the Gulf of Alaska retain and land all rockfish caught while fishing for groundfish or halibut. Rockfish taken in federal waters must be reported on a department fish ticket, and rockfish in excess of bycatch allowances must be reported as bycatch overage. Rockfish overage from federal waters may be retained for personal use or donated but cannot be sold or enter commerce.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This mirrors federal rockfish retention requirements and would improve estimates of rockfish catch, reduce waste and incentives to discard, and maintain consistency between state and federal fisheries management. All rockfish would have to be retained, weighed, and reported, and rockfish could be sold up to the allowable bycatch limit based on the round weight of the target species and bycatch species on board the vessel. Accurate accounting of rockfish mortality by area is needed to improve harvest tracking and management of rockfish, as logbook data does not adequately account for bycatch mortality by species.

BACKGROUND: Most rockfish have a closed swim bladder and suffer embolism mortality when brought to the surface. Regulations have been developed to reduce the at-sea discard of rockfish due to their high post-release mortality. Full retention regulations were adopted at the 2000 board meeting, requiring all rockfish caught in internal waters, and all DSR and black rockfish in state waters, to be weighed and reported on fish tickets. Full retention of DSR and black rockfish has been required in groundfish and halibut fisheries in federal waters since 2005. Effective March 23,

2020, federal regulations require full retention of all rockfish caught while fishing for groundfish or halibut in the EEZ waters.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery or additional costs for the department.

PROPOSAL 223 – 5 AAC 01.720. Lawful gear and gear specifications; and 5 AAC 77.674 Personal use bottomfish fishery.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This establishes and clarifies the gear specifications of a groundfish pot for the subsistence and personal use sablefish fisheries by requiring at least two circular escape rings with a minimum inside diameter of 3.75 inches installed on opposing vertical or sloping walls, in addition to individual tunnel eye openings with perimeters 36 inches or less.

WHAT ARE THE CURRENT REGULATIONS? A Southeast Alaska Subsistence and Personal Use Sablefish Fishing Permit is required for harvest of subsistence or personal use sablefish by Alaska residents. Allowable gear for subsistence sablefish fishing includes longline, pot, and mechanical jigging machines, as well as other gear described in regulation. Personal use sablefish gear is restricted to longline, pot, or handheld line only. The current regulatory language loosely defines legal pot gear for the subsistence and personal use sablefish fisheries and does not define escape ring requirements or tunnel eye openings. Current regulations in 5 AAC 39.145 require all pot gear to have a sidewall with an escapement opening equal to or exceeding 18 inches in length that must be laced, sewn, or secured together by a single length of untreated 100 percent cotton twine no larger than 30 thread count. The cotton twine may be knotted at each end only; the opening must be within six inches of the bottom of the pot and must be parallel with it; the cotton twine may not be tied or looped around the web bars.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Incorporating an escape ring size of 3.75 inches into subsistence and personal use pot gear for sablefish would significantly reduce the catch of small, immature sablefish and would maintain the catch of larger and more mature sablefish. Requiring individual tunnel eye openings with perimeters 36 inches or less as is required for commercial groundfish pots per 5 AAC 28.050 (e) would reduce halibut and sleeper shark bycatch. These requirements would protect immature sablefish from discard mortality and would help secure the future viability of the fishery. The proposed regulatory language would also be in line with the legal description of commercial sablefish pot gear if Proposal 221 was also adopted.

BACKGROUND: Personal use fishing for bottomfish was authorized in the Southeastern Alaska Area in 1989. Customary and traditional use findings for bottomfish were made by the board for many areas of Southeast Alaska in 1993. Since that time, subsistence and personal use sablefish fishing has been largely unrestricted except that Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI) Subdistrict commercial sablefish vessels were prohibited from operating longline gear in these areas during the periods immediately prior to the start of a sablefish opening and following the closure of the fishery, or until all commercial sablefish are offloaded from the vessel.

In 2012, the board adopted a regulation that required Alaska residents to obtain a harvest permit prior to participating in subsistence/personal use sablefish fisheries in the Southeastern Alaska Area. In 2015, longline gear restrictions, household harvest limits, and vessel limits were adopted for personal use fishing due to concerns of declining sablefish biomass and increasing harvests.

The permit was designed to provide managers with sablefish effort and harvest information to estimate total sablefish removals more accurately from the personal use and subsistence fisheries. In 2018, the board adopted a regulation allowing pots as a legal gear type in the Southeast Alaska personal use sablefish fishery where previously longline and handheld lines were the only gear types allowed. Pots have always been allowed in the Southeast Alaska subsistence sablefish fishery and prior to being allowed in the personal use fishery in 2018 only eight permit holders had used pot gear from 2012–2017. Since 2018 the number of permit holders utilizing pot gear for subsistence and personal use sablefish fishing has increased annually from 13 permit holders in 2018 to 49 permit holders in 2020.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The department conducted a study in Chatham Strait to estimate size-selectivity and capture efficiency of sablefish using pot gear with escape rings (Figure 221-1). Statistical analysis of size-selectivity curves suggested that relatively small increases in escape ring size cause large shifts in selectivity, with 9.5 cm (3.75 inch) escape rings providing the best compromise between reducing catch rates of small, immature sablefish, while maximizing selectivity and capture efficiency of large, mature sablefish. The board should determine whether adoption of this proposal continues to provide a reasonable opportunity for subsistence uses of sablefish.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. This additional cost would be to purchase two escape rings for each pot (approximately \$2 per ring). Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? Some portions of the stock may be inside the Juneau or Ketchikan nonsubsistence areas.
2. Is the stock customarily and traditionally taken or used for subsistence? Yes, the board has made positive C&T findings for bottomfish in several districts and sections in Southeast Alaska.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence use? The board has not made an ANS finding for sablefish or bottomfish in Southeast Alaska.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

PROPOSAL 224 – 5 AAC 77.674. Personal use bottomfish fishery.

PROPOSED BY: Randall Jahnke.

WHAT WOULD THE PROPOSAL DO? This would add rod and reel as a legal type of gear in the personal use bottomfish fishery in the Southeast Alaska Area (Figure 224-1).

WHAT ARE THE CURRENT REGULATIONS? The current personal use regulation allows for bottomfish to be taken only by longline or handheld line, except sablefish which may be taken by pot, longline, or handheld line (5 AAC 77.674). The personal use fishery for DSR rockfish (yelloweye, quillback, canary, copper, China, rosethorn, and tiger rockfish) was closed by emergency order in 2020 and will remain closed until further notice.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Personal use fishers would be allowed to use a hook and line attached to a rod or pole in addition to longline and handheld line to harvest bottomfish in Southeast, but not be allowed under subsistence regulations. This proposal would not increase opportunity for resident anglers to harvest DSR rockfish because the personal use bottomfish fishery is currently closed to the retention. However, this proposal may increase harvest of other species of rockfish as well as other bottomfish. The catch-and-release mortality of rockfish in the personal use fishery would likely increase as deepwater release devices are not required in the personal use fishery. This proposal may have unintended consequences by adding a gear type into the personal use fishery, removing the distinction of gear between the sport fishery and would likely result in increased harvest of other bottomfish species. There are limited methods to quantify personal use bottomfish harvests.

BACKGROUND: Personal use fishing for bottomfish was authorized in Southeast Alaska in 1989, and since then, has remained largely unrestricted. Regulations 5 AAC 77.674 (A) and (B) allow for a possession limit of three rockfish (one of which may be a yelloweye rockfish) in the Sitka Sound Special Use Area and in the vicinity of Ketchikan, while no rockfish possession limits are in place for personal use bottomfish in other areas of Southeast. Stock assessment surveys have shown a 60% decline in DSR biomass since 1994, despite conservative management actions over the last decade. In 2020, concerns for stock health prompted the department to use emergency order authority to close the directed DSR commercial fishery, personal use, and sport fisheries to the retention of DSR rockfish. Resident anglers wishing to fish for rockfish with a rod and reel may do so under sport fishing regulations for rockfish species other than DSR although bag and possession limits are more restrictive when compared to personal use regulations.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Rod and reel is a legal gear type for the sport fishery which currently prohibits the retention of DSR rockfish by emergency order and requires the possession and use of a deepwater release device whenever fishing in marine waters. Due to rockfish conservation concerns, allowing rod and reel as an additional legal gear type for the personal use fishery would likely increase harvest of other rockfish species in Southeast Alaska. In addition, if this gear type became legal in the personal use bottomfish fishery, enforcement could be difficult as there would be no gear distinction between the sport and personal use bottomfish fisheries, despite there being distinct bag and possession limits for many species in the sport fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery or additional costs for the department.

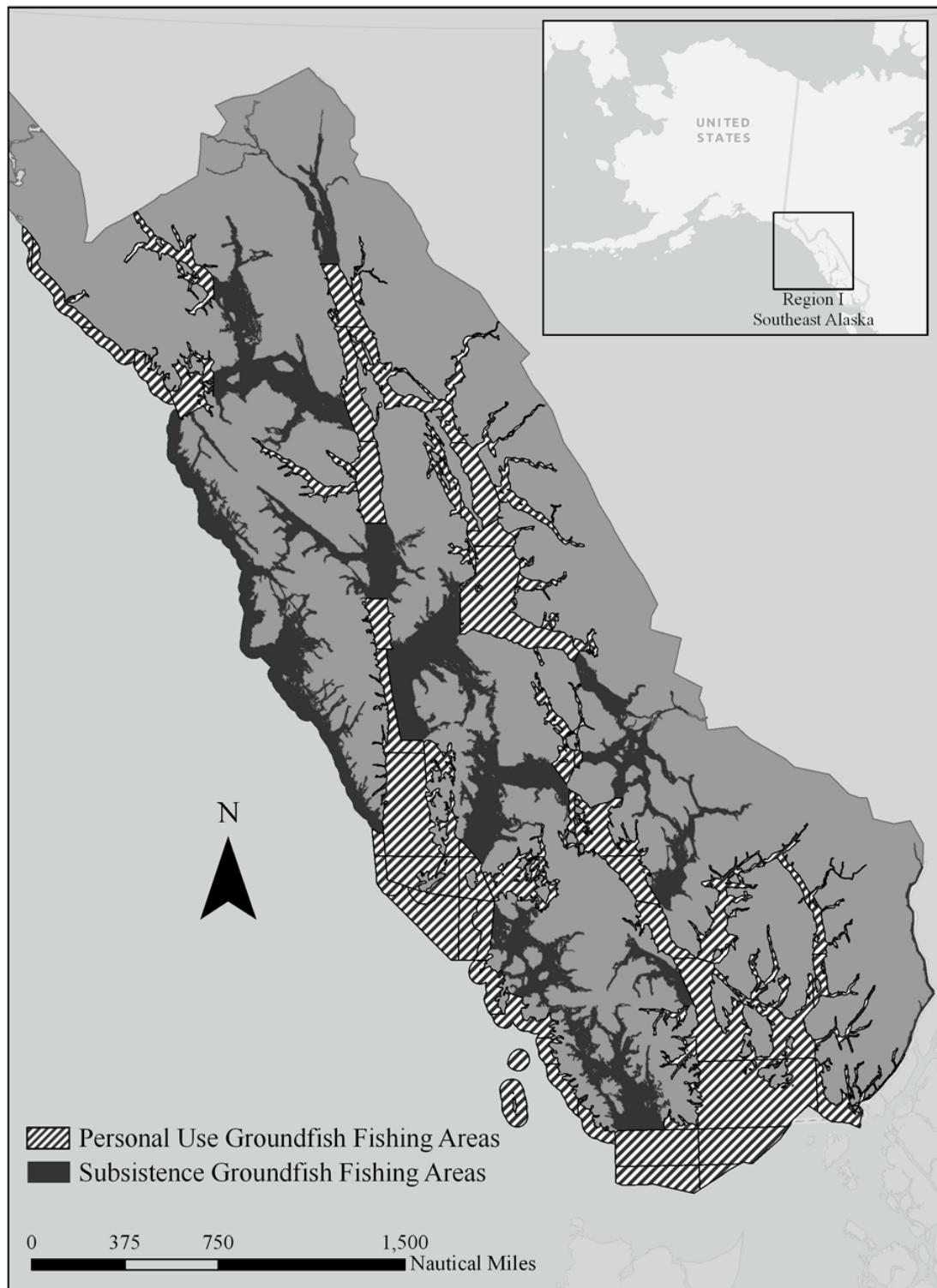


Figure 224-1.—Map of subsistence and personal use groundfish fishing areas in Southeastern Alaska Area.

PROPOSAL 225 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Charter Association.

WHAT WOULD THE PROPOSAL DO? Establish two specific sport fish regulations for residents and nonresidents with differential bag and annual limits based on the recommended sablefish Acceptable Biological Catch (ABC).

It is unclear what the intent is with the resident annual limit. The regulation cited in the proposal incorrectly references an annual limit for residents and is thought to be erroneous.

The proposer did not specify groundfish management areas in the proposed regulation change, though it is clear that the proposer is interested in Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI). Staff comments for this proposal are germane to NSEI and SSEI management areas and not for the rest of SEAK nor does it include the Eastern Gulf of Alaska (EGOA).

WHAT ARE THE CURRENT REGULATIONS? The bag and possession limit for sablefish applies to all of Southeast and is four fish with an annual limit of eight fish for nonresidents. There is no annual limit for residents.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Harvest opportunity of sablefish in the sport fishery in the Northern Southeast Inside (NSEI) management area would be increased. A baseline level bag limit of four fish and no annual limit will be established with incremental increases to the bag limit based the recommended sablefish ABC which is currently only estimated for NSEI and not for the SSEI management area. An incremental increase in sport fish bag limits based on an ABC would result in decreases to the commercial sablefish annual harvest objective (AHO) for NSEI during objective (AHO) for NSEI during years when sablefish abundance is higher since sablefish sport fishery mortality is decremented from the ABC prior to setting the commercial AHO. This would introduce an allocation measure between the commercial and sport fishery and would only be applicable to the NSEI management area.

Analysis of charter logbook data from NSEI showed that if the bag limit was increased to 5 fish, harvest of sablefish would increase by 15% or 731 fish (5,921 lbs); if the bag limit was increased to 6 fish, harvest of sablefish would increase by 30% or 1,443 fish (11,842 lbs). These estimates do not include harvest by unguided anglers (Table 225-1).

If this proposal were adopted as written without specifying the groundfish management area (NSEI) then there could be increases in sablefish harvest in other areas of SEAK.

BACKGROUND: State managed sablefish fisheries occur in offshore federal waters (EYKT, NSEO, CSEO, SSEO) for the sport fishery and in NSEI and SSEI for the sport, personal use, subsistence, and commercial fisheries (Figure 225-1). Sablefish harvested in Alaska waters belong to a northern stock of sablefish ranging from British Columbia, throughout the Gulf of Alaska, and to the Bering Sea.

To assess relative abundance of sablefish over time in NSEI and SSEI, the department began conducting annual longline research surveys in 1988. The surveys occur before the opening of the commercial fishery to allow for examining sablefish population composition near, but prior to, the time of the fishery: the SSEI annual survey occurs in late April or early May while the NSEI survey occurs in late July or early August. During the annual longline surveys, biological data are collected on sablefish, including length, weight, sex, stage of maturity, and otoliths (aging structures). These data are used to describe the age/size structure of the populations and recruitment events. In addition to the annual longline surveys, the department has conducted an annual or biannual mark-recapture survey in NSEI since 1997. Marking surveys are used to estimate absolute abundance of sablefish and provide release and recapture locations for tagged fish, which are important in estimating migration rates and understanding movement patterns. These surveys and fishery data are used to set the AHO for the following year.

NSEI is the only management area that establishes a recommended ABC and decrements other sources of known sablefish mortality, including bycatch in the Pacific halibut fishery, longline survey removals, sport fishery guided and unguided harvest, mortality from fishery deadloss and subsistence and personal use harvest from the ABC prior to setting the commercial fishery AHO which is divided equally among permit holders (Table 225-3).

Prior to the February 2009 Southeast Alaska board meeting, sablefish bag, possession, or annual limits had not been established for any sport fishery in the state. During this meeting, the board established a sablefish sport fish limit of two per day and four in possession, and an annual limit of eight for all participants. In April 2009, the board acted on a board-generated proposal by increasing the bag limit from two to four fish and rescinding the resident annual limit; these changes went into effect in late June 2009. In 2010, the board rejected a proposal to reduce the bag limit from four to two sablefish and to reduce the annual limit from eight to four sablefish. In 2012, the board rescinded the SEAK Area nonresident sablefish annual limit of eight fish except in District 12 (Chatham Strait). In 2018, the board established a sablefish nonresident annual limit of eight fish throughout the SEAK Area.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal, however, it should be noted that the proposed regulation does not stipulate specific management areas nor does it include reduction in bag limits if stocks decline in the future. These would need to be defined if action is taken.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 225-1.—Estimated increase in sablefish harvest in NSEI if the bag limit were 5 or 6 fish, in numbers of fish and pounds, based on charter logbook data, 2010–2019.^a

Year	NSEI Harvest (# fish)	NSEI Harvest (lbs)	Bag limit of 5				Bag limit of 6			
			Estimated Harvest	Increase (# fish)	Increase (lbs)	Percent Increase	Estimated Harvest	Increase (# fish)	Increase (lbs)	Percent Increase
2010	3,500	29,167	4,128	628	5,233	18%	4,756	1,256	10,467	36%
2011	4,325	36,042	5,094	769	6,408	18%	5,863	1,538	12,817	36%
2012	4,273	35,043	4,908	635	5,208	15%	5,543	1,270	10,415	30%
2013	5,193	44,649	6,124	931	8,005	18%	7,055	1,862	16,009	36%
2014	5,404	48,489	6,341	937	8,407	17%	7,278	1,874	16,815	35%
2015	4,867	44,421	5,601	734	6,699	15%	6,335	1,468	13,399	30%
2016	4,754	43,704	5,335	581	5,341	12%	5,916	1,162	10,682	24%
2017	5,005	41,157	5,594	589	4,843	12%	6,183	1,178	9,687	24%
2018	4,996	33,153	5,519	523	3,471	10%	6,042	1,046	6,941	21%
2019	5,551	35,000	6,438	887	5,593	16%	7,325	1,774	11,185	32%
2010– 2019	4,787	39,083	5,508	721	5,921	15%	6,230	1,443	11,842	30%

^aThe estimated increase was applied to guided trips where anglers realized a bag limit of 4 fish.

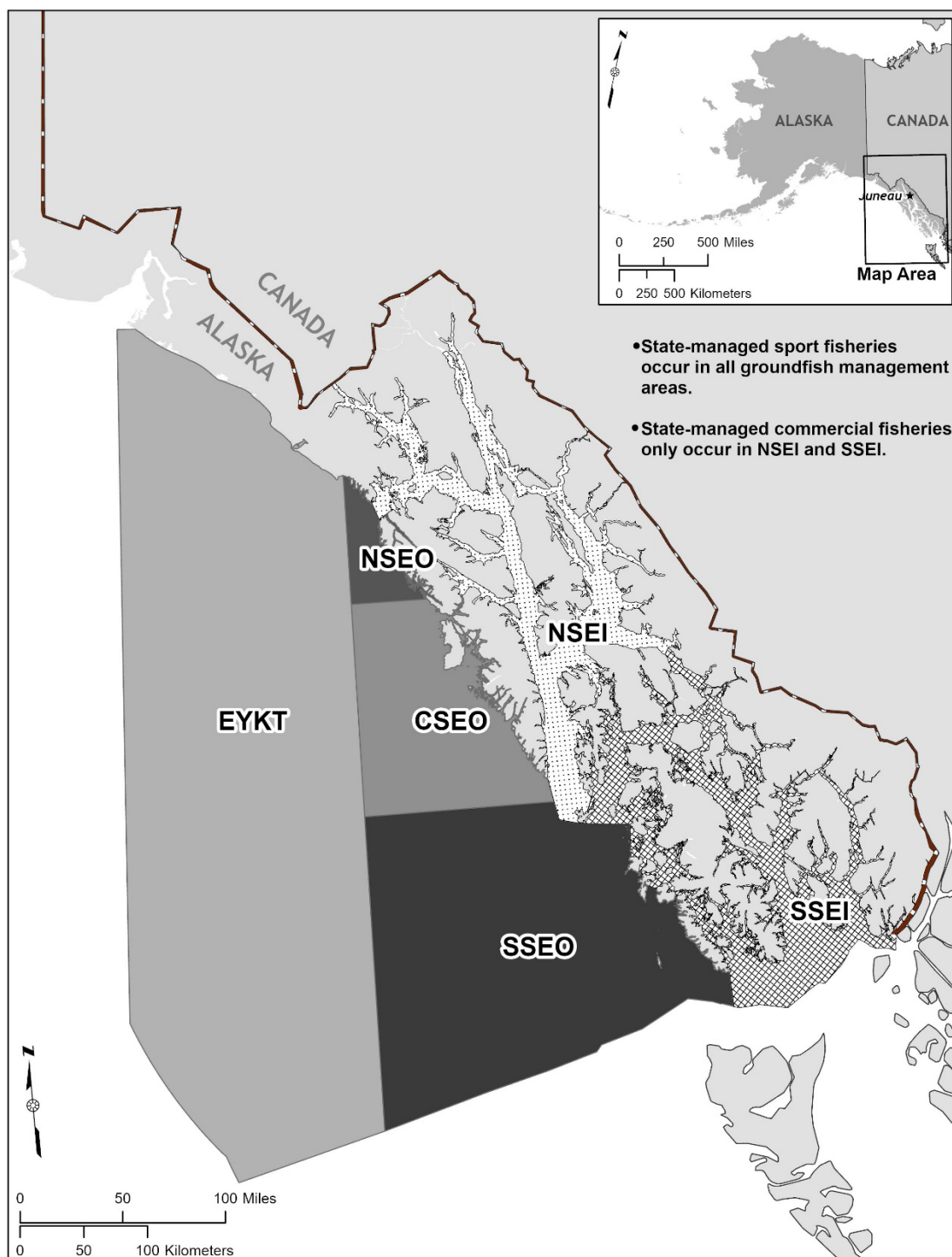


Figure 225-1.—Southeast groundfish management areas boundaries in SEAK waters: East Yakutat (EYKT); Northern Southeast Outside (NSEO); Central Southeast Outside (CSEO); and Southern Southeast Outside (SSEO), Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI).

Table 225-2.—NSEI sablefish recommended ABC and decrement types and amounts for the commercial fishery, 2015–2020. Estimated catch is round lb of sablefish.

Year	2015	2016	2017	2018	2019	2020
Acceptable Biological Catch (ABC)	986,481	807,559	850,113	965,354	1,058,037	1,216,743
Decrement Type (lb)	Estimated Mortality					
Bycatch mortality in halibut fishery	38,963	27,915	26,136	19,583	18,434	16,207
ADF&G longline survey removal decrement (excluding catch retained by permit holders for their EQS)	74,689	53,914	29,290	15,875	26,260	24,698
Guided sport fish harvest*	51,910	44,509	43,656	41,179	33,135	35,004
Unguided sport fish harvest*	5,212	7,015	3,911	5,872	11,340	5,280
Mortality from fishery deadloss	9,218	6,719	4,250	5,699	8,046	9,729
Mortality from fishery releases	—	—	—	—	19,142	—
Subsistence and personal use harvest	19,741	16,734	22,621	21,730	21,587	17,821
Total Decrements	199,733	156,805	129,863	109,938	137,944	108,740
AHO	786,748	650,754	720,250	855,416	920,093	1,108,003
Permit Holders	78	78	78	78	78	75
EQS	10,087	8,343	9,234	10,967	11,796	14,773

*Sport fishery preliminary harvest and release mortality are estimated utilizing charter logbooks and the statewide harvest survey.

PROPOSAL 226 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Alaska Charter Association.

WHAT WOULD THE PROPOSAL DO? A sport fish bag and possession limit of one slope rockfish in SEAK would be created. Slope rockfish and demersal shelf rockfish (DSR) currently comprise the nonpelagic rockfish grouping. This would modify the long-standing sport fishery regulatory groupings of rockfish, nonpelagic and pelagic, by regulating slope rockfish species separately from the nonpelagic grouping.

WHAT ARE THE CURRENT REGULATIONS? Regional nonpelagic regulations allow for a bag limit of five fish; possession limit of 10 fish, of which only two per day and four in possession may be yelloweye rockfish, with no annual or size limit. Outside waters (EYKT, NSEO, CSEO, and SSEO) nonpelagic rockfish regulations are set annually by emergency order to remain within an allocation as directed by *Demersal shelf rockfish delegation of authority and provisions for management* (5 AAC 47.065). Nonpelagic rockfish regulations for inside waters have been set by emergency order since 2006. A bag limit of one slope fish was established by emergency order in 2020 for all waters of SEAK.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Sport anglers would be provided the opportunity to harvest slope rockfish and this may increase the harvest of slope rockfish. It would separate slope rockfish and DSR from the current regulatory and management grouping of nonpelagic rockfish. This would increase regulatory complexity and require anglers to identify nonpelagic rockfish by species. Currently the department can only collect rockfish species identification data through creel surveys. The change in sport fish management of rockfish assemblages would align sport groupings of rockfish with commercial, personal use, and subsistence fishery management.

BACKGROUND: SEAK regulations for rockfish were separated by pelagic and nonpelagic rockfish groupings in 1994. The nonpelagic rockfish grouping consists of bottom dwelling species and include the slope rockfish and DSR assemblages. This management strategy has standardized species identification of rockfish for the angling public. Species in these two assemblages are recognizable from pelagic rockfish by their preference for benthic habitat, appearance, and susceptibility to barotrauma. The DSR assemblage is comprised of 7 rockfish species that includes yelloweye, quillback, copper, China, canary, rosethorn, and tiger. All other nonpelagic species are considered slope rockfish. To minimize issues with species identification and regulatory complexity the department continued to manage by the nonpelagic grouping when the *Demersal shelf rockfish delegation of authority and provisions for management* (5 AAC 47.065) was implemented in 2011 for outside waters despite the fact that slope rockfish were not included in the delegation. The recent 10-year average (2010–2019) total sport mortality (harvest and release) of slope rockfish is 9,381 fish, approximately 14% of the nonpelagic rockfish total sport mortality in SEAK. The total sport mortality of slope rockfish in 2020 when harvest of DSR was prohibited was approximately 6,588 fish (Table 226-1), however marine sport fishing effort in SEAK was down 48% due to the pandemic. No stock assessment has been conducted for slope rockfish.

DEPARTMENT COMMENTS: The department is **NEUTRAL** regarding creating a separate bag limit for slope rockfish. The status of slope rockfish populations is unknown and it is unknown what level of harvest is sustainable. Adoption of this proposal may result in rockfish regulatory complexity

as the public will have to identify slope, demersal shelf and pelagic rockfish, however, would align with species definition utilized in the commercial, personal use, and subsistence fisheries.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 226-1.—Total sport mortality (harvest and release) in numbers of DSR, slope and nonpelagic (DSR and slope) rockfish for SEAK 2006–2020.

Year	DSR	Slope	Total Nonpelagic	% Slope
2006	47,695	6,168	53,864	11%
2007	49,728	7,523	57,251	13%
2008	52,945	5,621	58,566	10%
2009	45,678	4,939	50,617	10%
2010	49,563	5,458	55,020	10%
2011	36,496	5,515	42,011	13%
2012	46,993	7,178	54,171	13%
2013	43,410	8,732	52,142	17%
2014	59,063	13,370	72,432	18%
2015	62,872	10,889	73,761	15%
2016	58,661	14,828	73,489	20%
2017	45,875	8,989	54,865	16%
2018	51,874	9,956	61,830	16%
2019	49,654	8,891	58,545	15%
Avg. 2006–2019	50,036	8,433	58,469	14%
2020 ^a	3,600	6,588	10,188	65%

^aRetention of DSR was prohibited and slope rockfish daily bag limit was one fish and angling effort was down 48%.

PROPOSAL 227 – 5 AAC 47.020. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Craig Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The nonpelagic rockfish bag limit in SEAK would be reduced to one per day and two in possession, while prohibiting the harvest of yelloweye rockfish.

WHAT ARE THE CURRENT REGULATIONS? Regional nonpelagic regulations allow for a bag limit of five fish; possession limit of 10 fish, of which only two per day and four in possession may be yelloweye rockfish, with no annual or size limit. Outside waters (EYKT, NSEO, CSEO, and SSEO) regulations are set annually by emergency order to remain within an allocation as directed by *Demersal shelf rockfish delegation of authority and provisions for management* (5 AAC 47.065). Regulations for inside waters have been set by emergency order since 2006 and was closed to the retention of nonpelagic rockfish, except for slope rockfish, in 2020 and 2021.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow for the harvest of one nonpelagic rockfish; the harvest of yelloweye rockfish would be prohibited. The department sets nonpelagic rockfish bag limits and seasons in outside waters under the *Demersal shelf rockfish delegation of authority and provisions for management* and will continue to do so unless otherwise directed by the board. As a result, this may not affect the management of outside waters. A nonpelagic rockfish bag limit of one was set for outside waters with varying weeks of closure from 2017 to 2019 and demersal shelf rockfish (DSR) sport mortality (harvest plus release mortality) averaged 44 t. If the closures had not occurred and anglers were unable to keep a yelloweye rockfish they would have likely harvested another DSR species of a lesser weight, which would have resulted in a total average sport mortality of 50 t. If a one nonpelagic rockfish, other than yelloweye rockfish, bag limit was set for outside waters without a time closure it is estimated that the total DSR mortality in the sport fishery would have exceeded the sport allocation in 2017–2019 (allocation was exceeded in 2017 and 2019).

A one nonpelagic rockfish limit was set for Southeast inside waters from 2017 to 2019 and average sport mortality was 36,000 nonpelagic rockfish. Assuming similar effort, this level of mortality could be expected with a one nonpelagic rockfish, other than yelloweye rockfish, bag limit.

BACKGROUND: The bag limit for nonpelagic rockfish in SEAK has been superseded by emergency order since 2006. Since 2011, the *Demersal shelf rockfish delegation of authority and provisions for management* (5 AAC 47.065) has guided management of nonpelagic rockfish in outside waters, which has resulted in different regulations for outside and inside waters. Outside water regulations have become more restrictive as yelloweye rockfish stock assessment and the subsequent demersal shelf rockfish allocation have exhibited a steady decline (Figure 227-1). There is no stock assessment or allocation for inside waters. Despite a conservative management strategy, harvest of nonpelagic species increased substantially resulting in additional bag limit restrictions in 2017 (Figure 227-2). The trend of decreasing stock assessments in outside waters and increased harvest in inside waters led to an emergency order in January 2020 prohibiting the retention of nonpelagic rockfish in SEAK. A subsequent emergency order in April 2020 separated the nonpelagic species groups (DSR and slope) and allowed the harvest of one slope rockfish per day, while retention of DSR remained closed.

Due to high exploitation in the sport fishery, yelloweye rockfish bag limits have historically been more restrictive with smaller bag limits than other nonpelagic rockfish. Regulations for

nonresidents have been more restrictive with annual limits implemented since 2007. Despite conservative regulations stock assessments of yelloweye rockfish in outside waters have indicated a substantial decrease in biomass since the mid-1990s (Figure 227-3).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal since total DSR sport mortality is estimated to exceed the sport allocation for outside waters and conservation concerns exist for inside waters.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

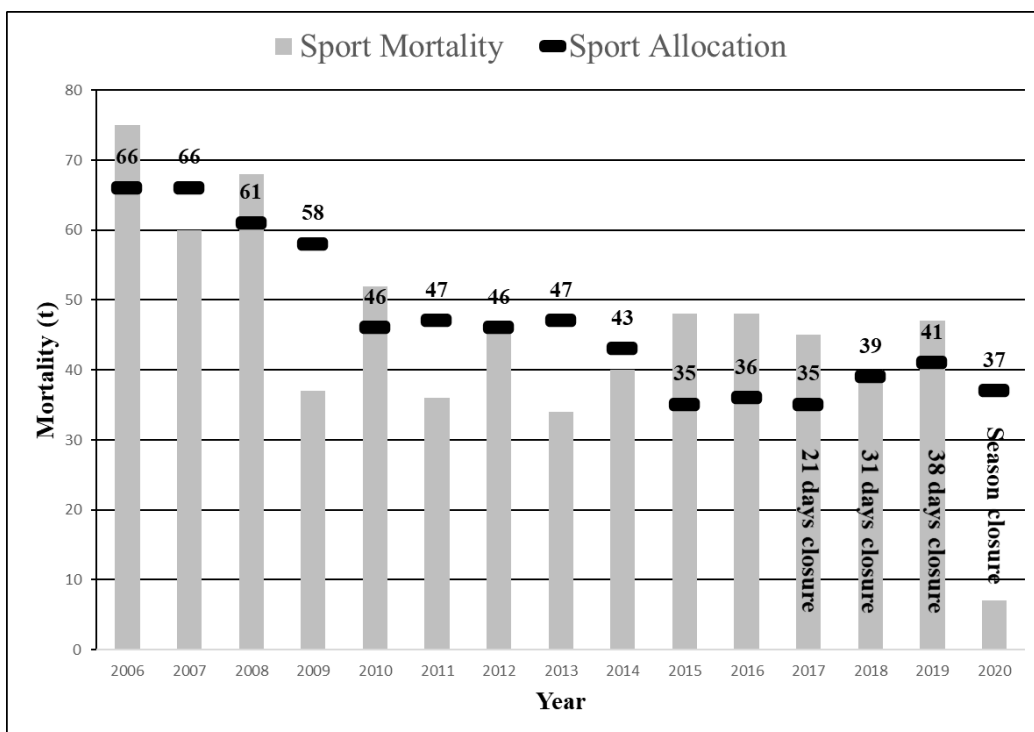


Figure 227-1.—Demersal shelf rockfish (DSR) allocation and mortality (t) (harvest and release) in the sport fishery from the Southeast Outside waters during 2006–2019.

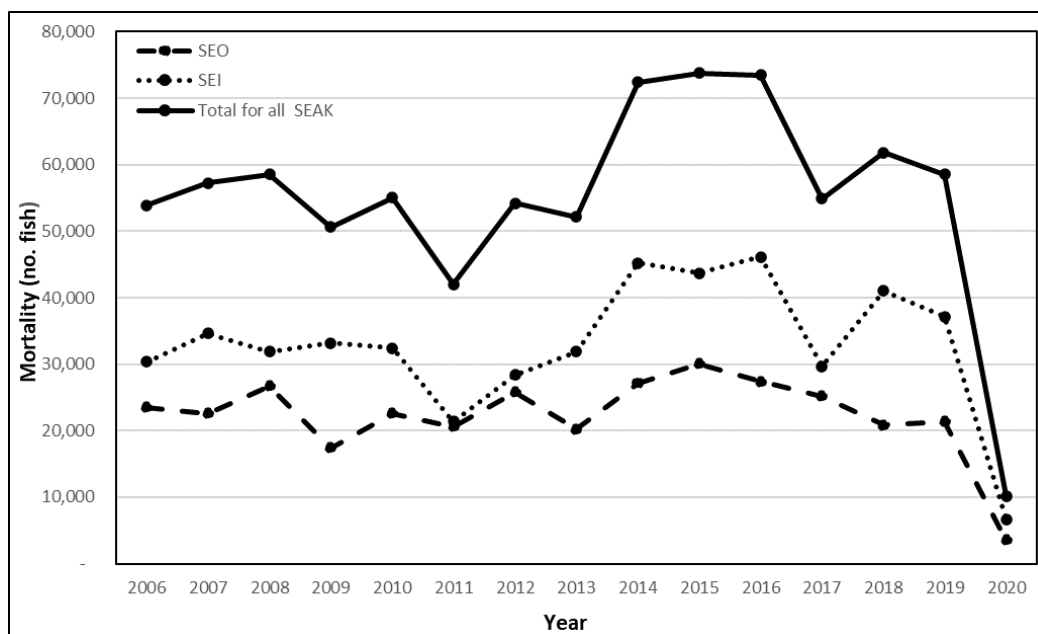


Figure 227-2.—Total sport mortality (harvest and release) of nonpelagic rockfish (number of fish) from the Southeast Outside (SEO), Southeast Inside (SEI) and all SEAK waters during 2006–2020.

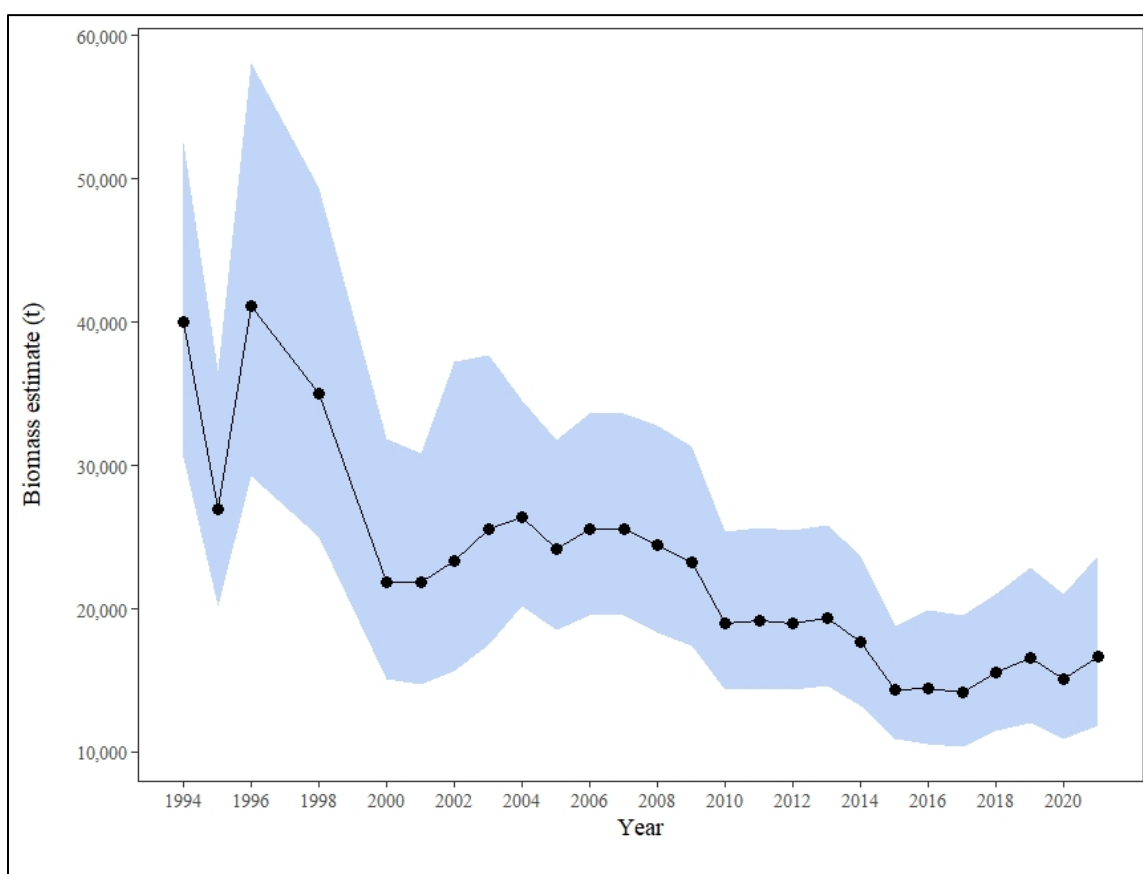


Figure 227-3.—Yelloweye rockfish biomass estimate (t) (solid line) and 90% lower and upper confidence intervals (blue) for Southeast Outside (SEO) waters, 1994–2021.

PROPOSAL 228 – 5 AAC 47.020. Bag limits, possession limits and size limits.

PROPOSED BY: Ketchikan Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would change the nonpelagic rockfish bag limit in Southern Southeast Inside waters (SSEI) to one fish per day. Nonresidents would be prohibited from retaining yelloweye rockfish.

WHAT ARE THE CURRENT REGULATIONS? Regional nonpelagic rockfish regulations allow for a bag limit of five fish; possession limit of 10 fish of which only two per day and four in possession may be yelloweye rockfish, with no annual limit. Since 2006, regulations for the inside waters have been set by emergency order.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow for the harvest of one nonpelagic rockfish and the harvest of yelloweye rockfish by nonresidents would be prohibited in SSEI (Figure 228-1).

In 2017–2019, the bag and possession limits in SSEI were set at one nonpelagic rockfish and the average sport mortality was 27,405 nonpelagic rockfish. Assuming similar effort, this level of mortality could be expected with a bag limit of one nonpelagic rockfish, excluding yelloweye rockfish for nonresidents in SSEI (Table 228-1).

BACKGROUND: There is no stock assessment or allocation set for nonpelagic rockfish in Southeast Inside waters (SEI). Given the lack of stock assessment information and increasing sport harvest prior to 2006, nonpelagic rockfish have been managed conservatively. Despite a conservative management strategy, the total sport mortality of nonpelagic rockfish in inside waters continued to rise from 2011–2016 and has exceeded removals from Southeast Outside waters (Figure 228-2). In response, emergency orders issued in 2017–2019 reduced nonpelagic rockfish bag limits to one fish with an annual limit of one yelloweye rockfish for nonresidents in all SEAK waters.

Due to high exploitation in the sport fishery, yelloweye rockfish bag limits have historically been more restrictive with smaller bag limits than other nonpelagic rockfish. Regulations for nonresidents have been more restrictive with annual limits implemented since 2007. Even with conservative regulations, annual stock assessments of yelloweye rockfish in outside waters have indicated a substantial decrease in biomass since the mid-1990s (Figure 228-3).

The trend of decreasing biomass in outside waters and increased harvest in inside waters led to an emergency order in January 2020 prohibiting the retention of nonpelagic rockfish in all SEAK waters. In April of 2020, the nonpelagic species groups (DSR and slope) were decoupled and limited harvest opportunity provided for slope species. The bag limit for slope rockfish was set at one fish, no annual limit, no size limit, and the retention of demersal shelf rockfish was prohibited.

DEPARTMENT COMMENTS: The department **OPPOSES** the retention of yelloweye rockfish and other DSR rockfish species due to conservation concerns and lack of stock assessment information for inside waters. The department is **NEUTRAL** on setting limits for slope rockfish. The status of slope rockfish populations is unknown, and it is unknown what level of harvest is sustainable.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

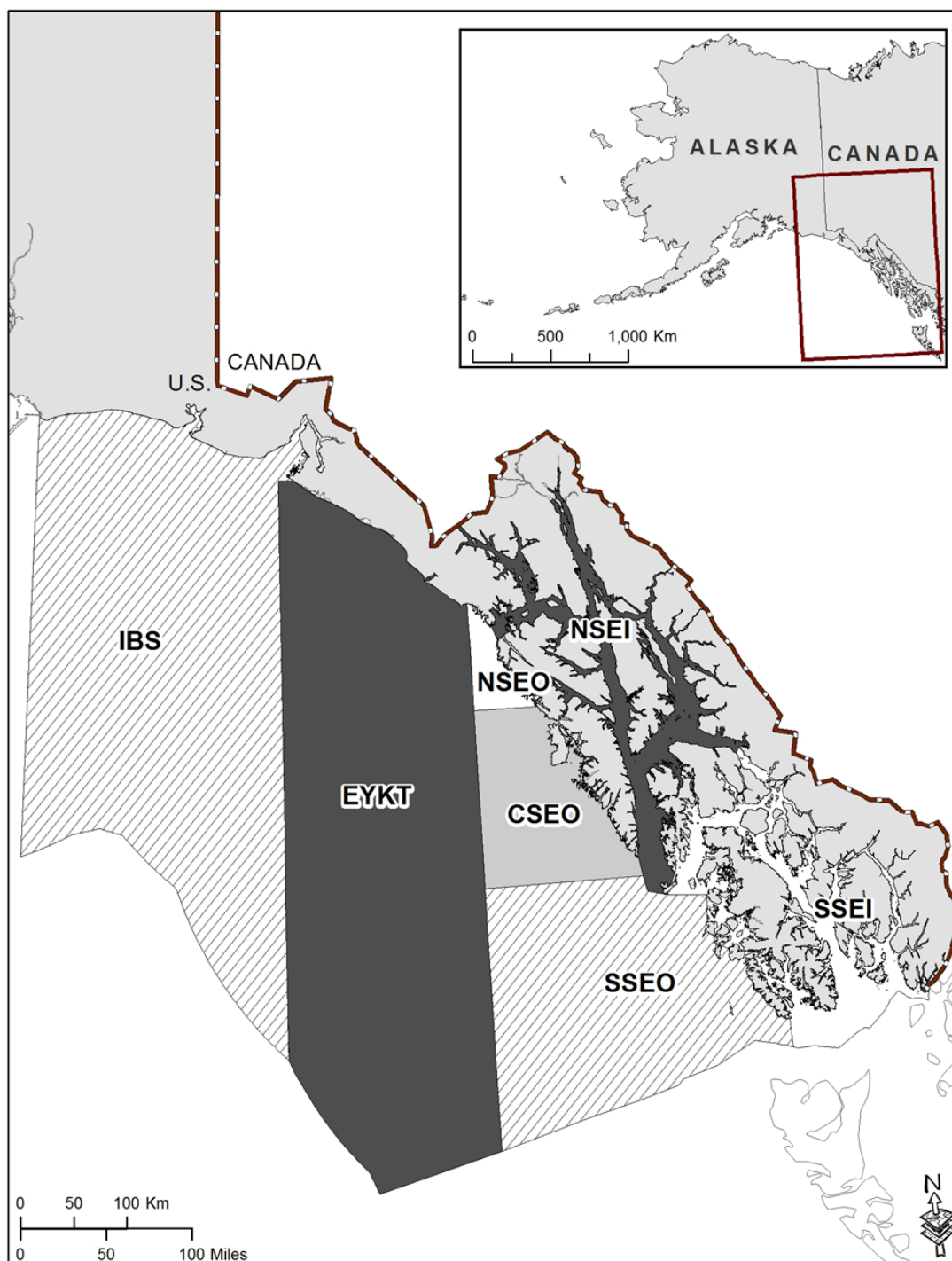


Figure 228-1.—Map of SEAK rockfish management areas: the Southeast Outside Subdistrict (SEO) includes: East Yakutat (EYKT); Northern Southeast Outside (NSEO); Central Southeast Outside (CSEO), and Southern Southeast Outside (SSEO); and the Southeast Inside Subdistrict (SEI) includes: Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI).

Table 228-1.—Total sport mortality (harvest plus release mortality) of nonpelagic and yelloweye rockfish in the SSEI management area by year and residency, in numbers of fish, 2006–2019.

Year	Nonpelagic Mortality ^a			Yelloweye Mortality		
	Resident	Nonresident	All Anglers	Resident	Nonresident	All Anglers
2006	4,971	19,750	24,722	1,199	5,118	6,317
2007	4,556	23,665	28,221	1,148	6,509	7,657
2008	4,484	19,286	23,770	1,083	4,964	6,047
2009	4,989	18,280	23,269	1,268	5,152	6,420
2010	5,078	17,813	22,890	1,572	5,132	6,704
2011	2,207	13,809	16,017	721	4,471	5,192
2012	3,616	16,678	20,294	1,059	4,262	5,321
2013	6,688	17,377	24,065	1,436	4,056	5,491
2014	7,725	23,319	31,044	1,478	5,032	6,511
2015	5,480	26,678	32,158	1,092	5,610	6,702
2016	3,674	24,843	28,517	762	5,403	6,165
2017 ^b	3,640	18,909	22,549	893	4,561	5,454
2018 ^b	4,803	26,561	31,364	930	5,124	6,054
2019 ^b	6,397	21,903	28,300	1,273	4,266	5,539
Avg 2006–2019	4,879	20,634	25,513	1,137	4,976	6,112
Avg 2017–2019	4,946	22,458	27,405	1,032	4,651	5,682

^a Includes yelloweye rockfish.

^b 2017–2019 bag and possession limit of one nonpelagic fish, nonresident annual limit of one yelloweye rockfish.

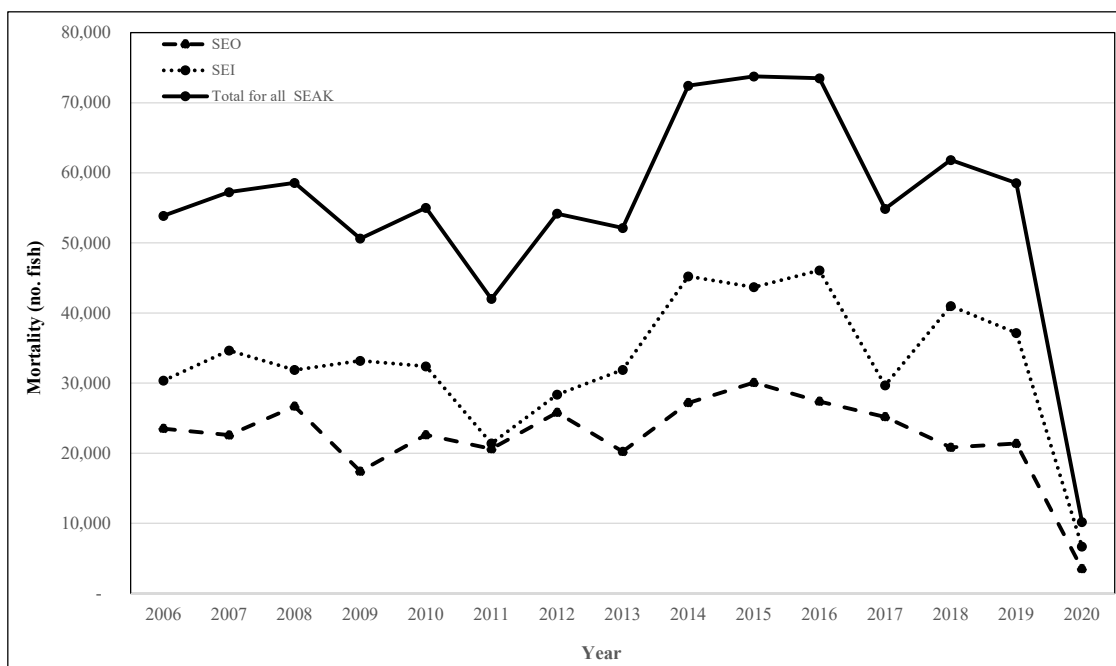


Figure 228-2.—Total sport mortality of nonpelagic rockfish (numbers of fish) from the Southeast Outside (SEO), Southeast Inside (SEI), and all SEAK waters, 2006–2020.

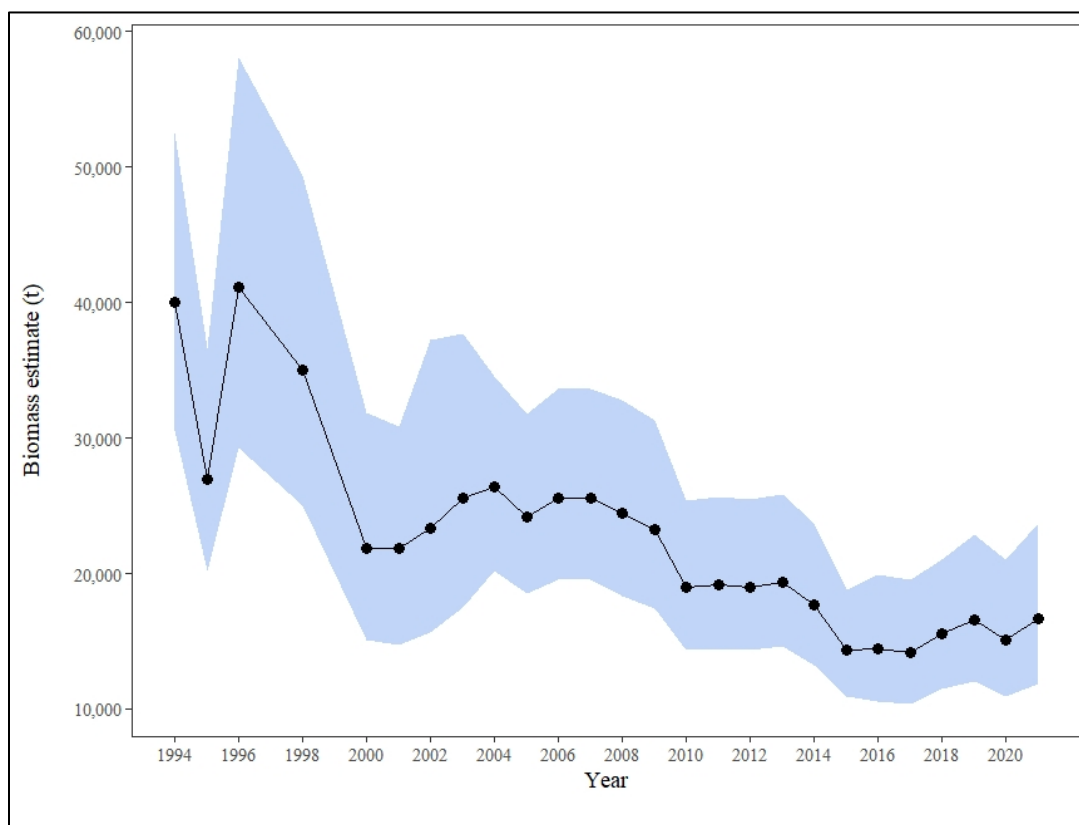


Figure 228-3.—Yelloweye rockfish biomass estimate (t) (solid line) and 90% lower and upper confidence intervals (blue) for Southeast Outside (SEO) waters, 1994–2020.

PROPOSAL 229 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Sitka Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would increase the nonresident slot limit for lingcod from 30–35 inches to 30–45 inches in the Central Southeast Outside (CSEO) Waters Section of SEAK.

WHAT ARE THE CURRENT REGULATIONS? The standing regional bag limit is two fish with a possession limit of four fish and no size or annual limits without regard to residency, however, to keep the sport fishery within its allocation and reduce regulatory complexity, the department has (through its delegated authority) modified these regulations. Northern SEAK waters groundfish management areas have historically been managed together. The northern area encompasses the Central Southeast Outside Waters (CSEO), Northern Southeast Outside Waters (NSEO), and Northern Southeast Inside Waters (NSEI).

Between 2011 and 2020, in Northern Southeast Alaska Waters, nonresident anglers were allowed a bag and possession limit of one lingcod with an annual limit of two, one of which must be between 30 – 35 inches and one 55 inches or greater. Resident anglers are allowed a bag and possession limit of one lingcod, no size restrictions, and no annual limit. In 2021 CSEO was split out from the northern groundfish areas and the slot limit for nonresidents increased from 30 – 35 inches to 30 – 40 inches and one fish 55 inches or greater with an annual limit of one fish in this area. Resident anglers are allowed a bag and possession limit of one lingcod, no size restrictions, and no annual limits. This increase in size limit was implemented to match the potential for the sport fishery in CSEO to its allocation.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If the slot limit for lingcod harvested by nonresident anglers in CSEO were increased to 30 – 45 inches, the sport allocation in CSEO would likely be exceeded unless additional management measures were implemented. Since 2012, unguided anglers (most of which are not subject to lingcod size limits) have historically harvested lingcod that are 25% larger (by weight) than guided anglers (most of whom are subject to the current 30–35 inch size limit. Most (>90%) lingcod harvested by unguided anglers in CSEO are less than 45 inches. Guided anglers harvest about 70% of the lingcod in CSEO by number. If guided anglers were to increase the average weight of harvested lingcod by 25%, The sport allocation in CSEO would be exceeded by 30%. Additionally, some regulatory complexity would be added due to having different regulations between CSEO and the rest of the Northern Southeast waters.

BACKGROUND: Harvest of lingcod increased between the early 1990s through 2001 (Figure 229-1), when the sport fishery exceeded its allocation (CSEO – 72,000lb and NSEO – 8,800lb) by more than 100%. Prior to 2002, annual regulations for anglers subject to a size limit (guided anglers) included minimum size limits of 38 and 39 inches in 2000 and 2001 respectively (Table 229-1). Beginning in 2002, the season was reduced for all anglers to May 16–June 15 and August 16–November 30 and a slot limit of 30 – 40 inches was implemented in CSEO, NSEO, and NSEI. These regulations were applied annually through 2006 at which time effort and ultimately harvest again exceeded the sport allocation. In 2006, an annual limit of two fish was established for nonresidents. In 2007, the slot limit was decreased from 30 – 40 inches to 30 – 35 inches and the limit for nonresidents was reduced from two fish annually to one fish annually. In 2009, guided

anglers were no longer restricted, rather only residency dictated harvest regulations. In addition to this change in 2009, the nonresident annual limit was increased to two fish, of which one fish had to be within the slot limit and one fish larger than 55 inches. In 2011, an extra month was added to the open period for all anglers going from a split open season of May 16–June 15 and August 16–Nov 30 to May 16–June 30 and August 1–November 30. In 2012, an uninterrupted summer open season for lingcod was established between May 16 and November 30.

Under the *Harvest guidelines and ranges for the Eastern Gulf of Alaska Area* (5 AAC 28.160), the department sets annual lingcod GHL's for each management area based on historical fishery performance and population trends. Annual lingcod GHLs are allocated among management areas and fisheries including directed commercial, sport, salmon troll, and longline bycatch fisheries. The GHL for the Central Southeast Outside Section (CSEO) may be set within the range of 0–240,000 round pounds and between 0–40,000 round pounds for the Northern Southeast Outside section. *Lingcod allocation guidelines for Eastern Gulf of Alaska* (5 AAC 28.165) set the sport fishery allocation of the CSEO lingcod allocation at 30%. The department has historically managed for the top end of these GHLs and lingcod sport fishery regulations are set annually by emergency order to meet these as directed by the *Lingcod delegation of authority and provisions for management* (5 AAC 47.060)

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal. If adopted, the sport lingcod fishery allocations in CSEO would likely be exceeded unless other management measures were taken, such as season or area closures. If adopted, the department asks for clarity from the board on how to implement new regulations since management is currently directed through delegation of authority in 5 AAC 47.060. Implementation of this proposal would also require the board to modify the delegation of authority.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 229-1.—Summary of sport fishery lingcod regulations in Southeast Alaska, 1994–2020.

Year	SSEI	SSEO	CSEO/NSEO/NSEI	IBS/EYKT
1994 to 1999	season: May 1–Nov 30 2 fish per day, 4 in possession	season: May 1–Nov 30 2 fish per day, 4 in possession	season: May 1–Nov 30 2 fish per day, 4 in possession	season: May 1–Nov 30 2 fish per day, 4 in possession
2000	season: May 16–Nov 30 2 fish per day, 4 in possession no size limit	season: May 16–Nov 30 2 fish per day, 4 in possession no size limit	season: May 16–Jun 15, Aug 16–Nov 30 2 per day, 4 in possession prior to June 6, 2000 After June 6: 1 per day, 2 in possession and: unguided residents: no size limit guided and nonresidents: 38 in minimum size	season: May 16–Nov 30 2 fish per day, 4 in possession no size limit
2001	season: May 16–Nov 30 1 per day, 2 in possession no size limit	season: May 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 34 in minimum size	season: May 16–Jun 15, Aug 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 39 in minimum size	season: May 16–Jun 15, Aug 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 39 in minimum size
2002	season: May 16–Nov 30 1 per day, 2 in possession no size limit	season: May 16–June 15, Aug 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit	season: May 16–Jun 15, Aug 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit	season: May 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 32–42 in slot limit
2003	season: May 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit	season: May 16–June 15, Aug 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit	season: May 16–Jun 15, Aug 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit	season: May 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 32–42 in slot limit

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Year	SSEI	SSEO	CSEO/NSEO/NSEI	IBS/EYKT
2004	season: May 16–Nov 30 1 per day, 2 in possession no size limit	season: May 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit	season: May 16–Jun 15, Aug 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit	season: May 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 32–42 in slot limit
2005	season: May 16–Nov 30 1 per day, 2 in possession no size limit	season: May 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit	season: May 16–Jun 15, Aug 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit	season: May 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 32–42 in slot limit
2006	season: May 16–Nov 30 1 per day, 2 in possession no size limit guided and nonresidents: annual limit of 2 fish no retention by charter operators/crew	season: May 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit guided and nonresidents: annual limit of 2 fish no retention by charter operators/crew	season: May 16–Jun 15, Aug 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit guided and nonresidents: annual limit of 2 fish no retention by charter operators/crew	season: May 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 32–42 in slot limit no retention by charter operators/crew

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Year	SSEI	SSEO	CSEO/NSEO/NSEI	IBS/EYKT
2007–2008	season: May 16–Nov 30 unguided resident: 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–40 in slot limit guided and nonresidents: annual limit of 1 fish no retention by charter operators/crew	season: May 16–Jun 15, Aug 16–Nov 30 unguided resident: 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–35 in slot limit guided and nonresidents: annual limit of 1 fish no retention by charter operators/crew	season: May 16–Jun 15, Aug 16–Nov 30 unguided resident: 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 30–35 in slot limit guided and nonresidents: annual limit of one no retention by charter operators/crew	season: May 16–Nov 30 1 per day, 2 in possession unguided residents: no size limit guided and nonresidents: 32–42 in slot limit no retention by charter operators/crew
2009	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–35 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, one of which is 30–35 inches in length and one that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–35 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of two lingcod, 1 of which is 30–35 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Jun 15, Aug 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–35 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–35 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–35 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–35 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel

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Year	SSEI	SSEO	CSEO/NSEO/NSEI	IBS/EYKT
2010	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–35 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–35 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–35 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, one of which is 30–35 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Jun 15, Aug 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–35 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–35 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–40 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–40 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel
2011	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–40 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–40 inches in length and one that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–40 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–40 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Jun 30, Aug 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–35 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–35 inches in length and one that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–45 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–45 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel

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Year	SSEI	SSEO	CSEO/NSEO/NSEI	IBS/EYKT
2012–2020	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–45 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–45 inches in length and one that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–45 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–45 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–35 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–35 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel	season: May 16–Nov 30 resident: 1 per day, 2 in possession, no size limit nonresidents: 1 per day, 1 in possession, 30–45 in slot limit OR 55 inches or greater. must land lingcod by hand or with a landing net nonresident angler annual limit of 2 lingcod, 1 of which is 30–45 inches in length and 1 that is 55 inches or greater in length no captain/crew lingcod retention while clients are on board the vessel

Note: SSEI = Southern Southeast Inside Subdistrict; SSEO = Southern Southeast Outside Section; CSEO = Central Southeast Outside Section; NSEO = Northern Southeast Outside Section; NSEI = Northern Southeast Inside Subdistrict; IBS = Icy Bay Subdistrict; EYKT = East Yakutat Section.

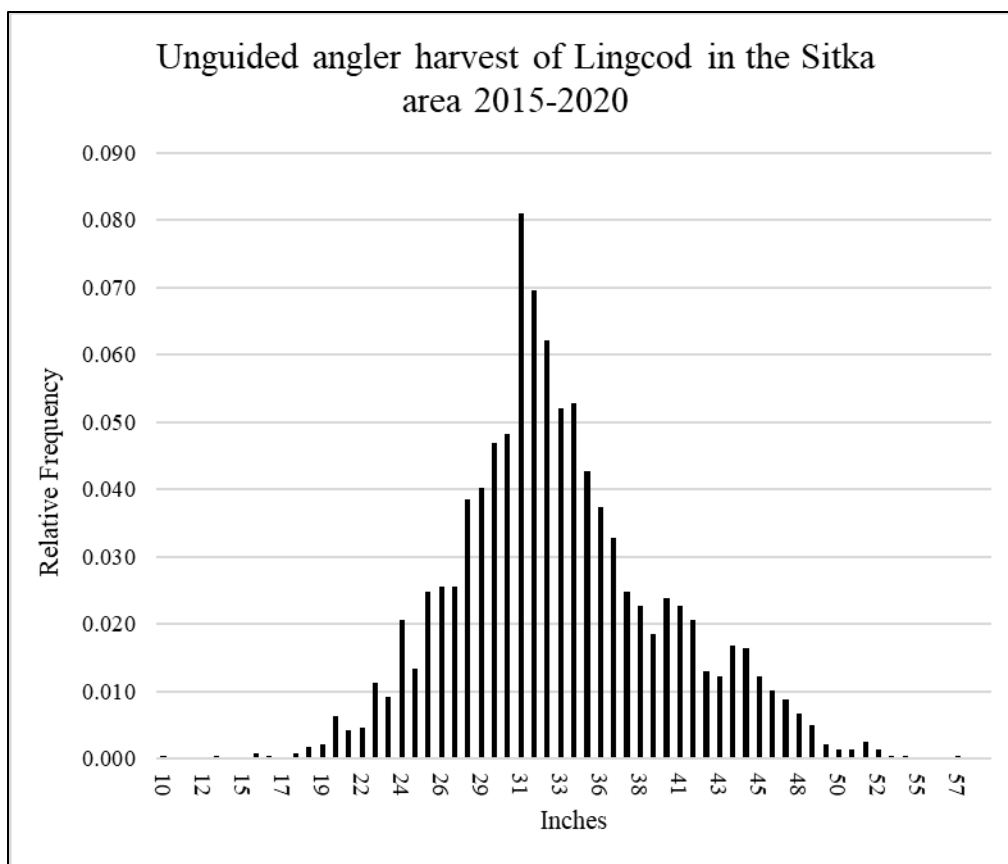


Figure 229-1.—Relative length frequency distribution of lingcod in the Sitka area by unguided anglers between 2015 and 2020.

PROPOSAL 230 – 5 AAC 47.065. Demersal shelf rockfish delegation of authority and provisions for management.

PROPOSED BY: Tad Fujioka.

WHAT WOULD THE PROPOSAL DO? Provisions would be added to the DSR delegation of authority and provisions for management that would limit the restrictions to resident anglers. Specifically, unless resident sport anglers were projected to account for more than 10% of the total all-gear catch (TAC) of DSR they would not be restricted to bag and possession of less than three DSR (including one yelloweye rockfish) nor would they be subject to an annual limit or time and area closures.

WHAT ARE THE CURRENT REGULATIONS? Since the creation of a DSR allocation for the sport fishery in Southeast Outside waters (SEO) in 2006, nonpelagic regulations have been established by emergency order (EO) under the *Demersal shelf rockfish delegation of authority and provisions for management* (5 AAC 47.065). Current rockfish regulations provide for a nonpelagic bag limit of five fish and a possession limit of 10 fish, of which only two per day and four in possession may be yelloweye rockfish, with no annual limit.

DSR are a subset of the nonpelagic grouping and make up a majority of nonpelagic rockfish harvested in terms of both weight and number of fish. The remaining species within the nonpelagic group are identified as slope rockfish. Increasingly restrictive regulations have been implemented depending on area (inside waters or outside waters) and residency through 2019 which included partial season closures for SEO. Initially in 2020, the harvest of nonpelagic rockfish was closed in all SEAK due to conservation concerns for DSR species. In April of 2020, the nonpelagic species groups (DSR and slope) were decoupled and limited harvest opportunity was provided for slope species.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would provide more harvest opportunity of DSR for residents. To stay within the SEO sport allocation, period closures to the sport fishery were necessary during 2017–2019 and in 2020 the DSR fishery was closed for conservation reasons.

Statewide Harvest Survey results indicate that resident harvest of all rockfish species has remained relatively constant through time and has recently represented about 10% of the sport harvest of rockfish in SEAK. Between 2006 and 2010 when bag and possession limits for residents were as proposed, resident harvest of DSR in SEO was about 6.3t (low of 4.3t and high of 11.6t). This represents an average of 2% of the annual TAC and 8.7% of the sport allocation for these years (Figure 230-1). If adopted, this would allow resident harvest of DSR species. Because resident effort and harvest has remained at a relatively constant level it is unlikely that the sport allocation would be exceeded solely due to resident harvest unless the TAC continues to decline. Restrictive measures such as time and area closures for nonresidents would likely be required to keep the sport fishery within its allocation.

BACKGROUND: Since 1989, the state has had management authority for DSR in federal waters and has submitted an annual stock assessment to the North Pacific Fishery Management Council (council). The stock assessment which occurs in SEO is habitat-based and the biomass estimate is the product of estimated area of yelloweye rockfish habitat, density of yelloweye rockfish, and average weight of yelloweye rockfish by management area. The Allowable Biological Catch

(ABC) levels and TAC are set annually for SEO for the council stock assessment and fishery evaluation process.

Prior to 2006, there were no harvest allocations of DSR. The sport and commercial harvest allocation (16% and 84% respectively) of DSR in the SEO Subdistrict TAC was first adopted by the board in 2006. The board established allocations based on the 5-year historical catches of each user group. In 2009, the board implemented regulations instructing the department to subtract the estimated subsistence harvest from the ABC prior to allocation of the TAC between the sport and commercial fisheries.

The board outlined a series of management measures that may be set by EO to modify existing sport fish regulations to keep the sport fishery within its allocation (5 AAC 47.065). These measures are: (1) reduced bag and possession limits for nonresident anglers; (2) retention of all DSR caught by a nonresident angler is required until the nonresident bag limit is reached; (3) charter operators and crew members may not retain DSR while clients are on board the vessel; (4) annual limits for DSR for nonresident anglers; (5) reduced bag and possession limits for resident anglers; (6) retention of all DSR caught by a resident angler is required until the resident angler bag limit is reached; (7) annual limits for DSR for resident anglers; and (8) time and area closures.

To reduce DSR total mortality levels in the sport fishery, since 2006 the department has implemented rockfish regulations by EO (Table 230-1). To reduce regulation complexity, nonpelagic (as opposed to DSR) regulations were modified to manage for the sport fish DSR allocation. DSR species represent 95% of the rockfish species in the nonpelagic assemblage caught by the sport fishery. To date, the department has implemented all the management measures, except resident annual limits, to keep the sport fishery harvest within its allocation. The majority of management provisions were necessary to keep the sport fishery within its allocation for two reasons. First, despite all gear harvests below the TAC, the TAC has continued a downward trend since 2006. Secondly, nonresident effort has increased since 2006. Implementing these increasingly restrictive regulations has proved to be effective in reducing the total mortality to within the sport allocation in 6 of the last 15 years.

There are positive C&T findings for bottomfish in districts 2, 3, 5–10, and 12–15; the board has not made ANS findings for bottomfish.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal as this would increase DSR mortality.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 230-1.—Summary of sport fish regulations for nonpelagic rockfish in Southeast Alaska, 1989–2020.

Year	Bag, possession, and annual limits	
1989–1993	Daily bag limit of 5 fish (all rockfish), of which only 2 may be a yelloweye rockfish, possession limit of 10, of which only 4 may be a yelloweye rockfish.	
	Sitka and Ketchikan bag and possession limit of 3 rockfish, of which only 1 could be a yelloweye rockfish.	
1994–2005	Daily bag limit of 5 fish, of which only 2 may be a yelloweye rockfish, possession limit of 10 fish, of which only 4 may be a yelloweye rockfish.	
	Sitka and Ketchikan bag and possession limit of 3 rockfish, of which only 1 could be a yelloweye rockfish.	
2006 ^{a,b}	Daily bag limit of 3 fish, of which only 1 may be a yelloweye rockfish, possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	
	Sitka and Ketchikan bag and possession limit of 3 rockfish, of which only 1 could be a yelloweye rockfish.	
2007–2010 ^{a,b}	<u>Resident</u> Bag limit of three fish, only 1 of which may be a yelloweye rockfish; possession limit of 6.	<u>Nonresident</u> Bag limit of 2 fish, only 1 of which can be a yelloweye rockfish, possession limit of 4, which only 2 may be a yelloweye rockfish; annual limit of 3 yelloweye rockfish.
	<u>Resident</u> <u>Southeast Outside Waters:</u> bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 2 may be a yelloweye rockfish. <u>Southeast Inside Waters:</u> bag limit of 3 fish, only 1 of which may be a yelloweye rockfish; possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	<u>Nonresident</u> <u>Southeast Outside Waters:</u> bag limit of 2 fish, only 1 of which can be a yelloweye rockfish, possession limit of 4 fish, of which only 1 may be a yelloweye rockfish; annual limit of 1 yelloweye rockfish. <u>Southeast Inside Waters:</u> bag limit of 2 fish, only 1 of which can be a yelloweye rockfish, possession limit of 4 fish, of which only 2 may be a yelloweye rockfish; annual limit of 2 yelloweye rockfish.
2013–2015 ^{a,b,c}	<u>Resident</u> <u>Southeast Outside Waters:</u> bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 2 may be a yelloweye rockfish. <u>Southeast Inside Waters:</u> bag limit of 3 fish, only 1 of which may be a yelloweye rockfish; possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	<u>Nonresident</u> <u>Southeast Outside Waters:</u> bag limit of 2 fish, only 1 of which can be a yelloweye rockfish, possession limit of 4 fish, of which only 1 may be a yelloweye rockfish; annual limit of 1 yelloweye rockfish. <u>Southeast Inside Waters:</u> bag limit of 2 fish, only 1 of which can be a yelloweye rockfish, possession limit of 4 fish, of which only 2 may be a yelloweye rockfish; annual limit of 2 yelloweye rockfish.

-continued-

Year	Bag, possession, and annual limits	
	<u>Resident</u>	<u>Nonresident</u>
2016 ^{a,b,c}	<u>Southeast Outside Waters:</u> bag limit of 2 fish, only 1 of which may be a yelloweye rockfish; possession limit of 4 fish, of which only 2 may be a yelloweye rockfish.	<u>Southeast Outside Waters:</u> bag limit of 1 fish, only 1 of which can be a yelloweye rockfish, possession limit of 2 fish, of which only 1 may be a yelloweye rockfish; annual limit of 1 yelloweye rockfish.
	<u>Southeast Inside Waters:</u> bag limit of 3 fish, only 1 of which may be a yelloweye rockfish; possession limit of 6 fish, of which only 2 may be a yelloweye rockfish.	<u>Southeast Inside Waters:</u> bag limit of 2 fish, only 1 of which can be a yelloweye rockfish, possession limit of 4 fish, of which only 2 may be a yelloweye rockfish; annual limit of 2 yelloweye rockfish.
2017 ^{a,b,c}	<u>All Anglers</u>	
	Bag and possession limit of 1 fish. Nonresident annual limit of 1 yelloweye rockfish.	
	<u>Southeast Outside Waters:</u> No retention from August 1 through August 21. All anglers must have release device (regardless of target species) and all nonpelagic rockfish must be released at depth.	
2018 ^{a,b,c}	<u>All Anglers</u>	
	Bag and possession limit of 1 fish. Nonresident annual limit of 1 yelloweye rockfish.	
	<u>Southeast Outside Waters:</u> No retention from August 1 through August 31. All anglers must have release device (regardless of target species) and all nonpelagic rockfish must be released at depth.	
2019 ^{a,b,c}	<u>All Anglers</u>	
	Bag and possession limit of 1 fish. Nonresident annual limit of 1 yelloweye rockfish.	
	<u>Southeast Outside Waters:</u> No retention from July 25 through August 31. All anglers must have release device (regardless of target species) and all nonpelagic rockfish must be released at depth.	
2020 ^{a,b,c}	<u>All Anglers</u>	
	Retention of all DSR rockfish prohibited. Bag and possession limit of 1 slope rockfish. All anglers must have release device (regardless of target species) and all rockfish must be released at depth	

^a Charter operators and crew are not allowed to retain nonpelagic rockfish.

^b All nonpelagic rockfish caught must be retained until the bag limit is reached.

^c Persons sport fishing from a charter vessel when releasing nonpelagic rockfish (e.g., after an angler reaches their bag limit) must be in possession of and utilize a deepwater release mechanism to return the fish to the depth it was hooked or to a depth of at least 100 feet.

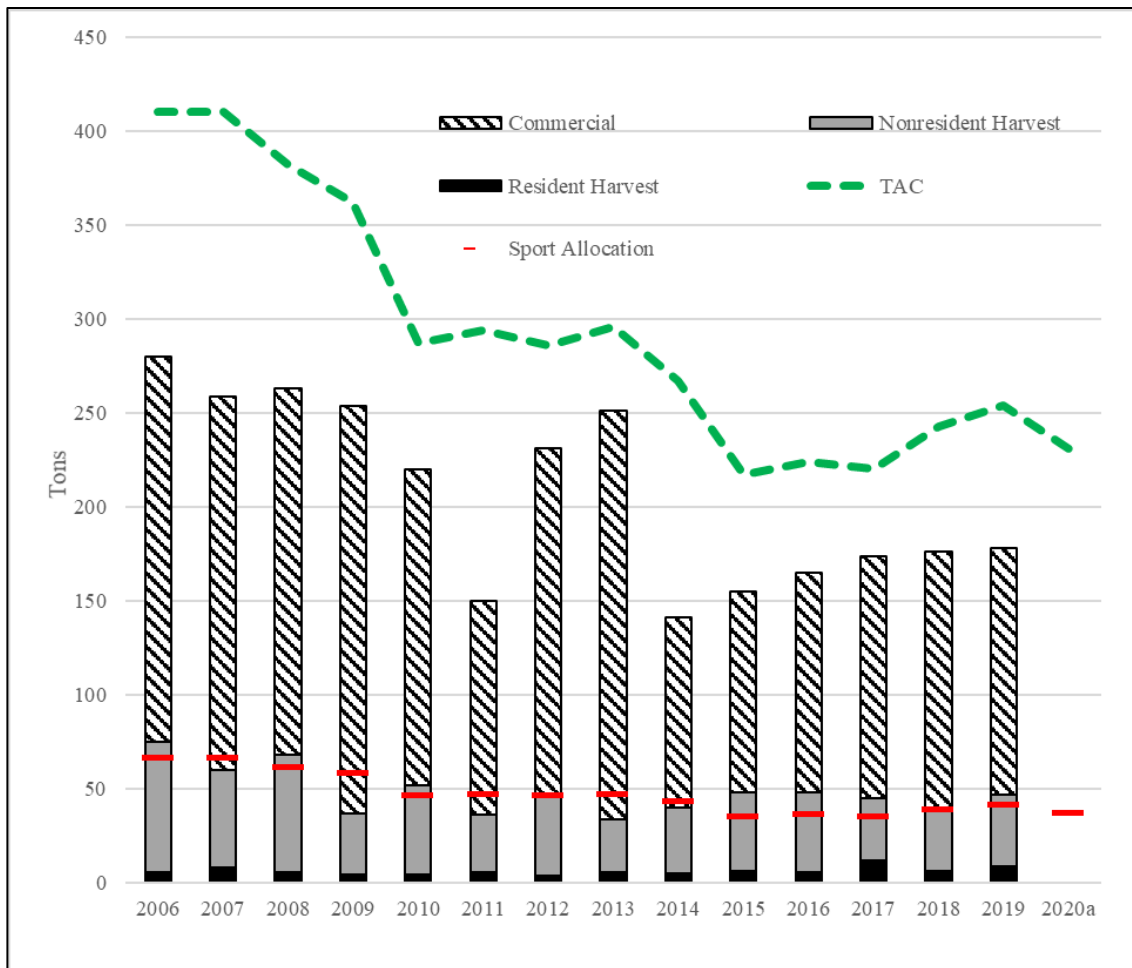


Figure 230-1.—Resident sport harvest, nonresident sport harvest, sport allocation, commercial harvest, and Total Allowable Catch (TAC) of Demersal Shelf Rockfish (DSR) in Southeast Outside Waters (SEO) 2006–2020. Commercial harvest includes directed fisheries, incidental harvest, and research harvest. a2020 data not available.

PROPOSAL 231 – 5 AAC 75.006. Harvest record for finfish with annual limit. and 5 AAC 47.060. General provisions for seasons and bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area.

PROPOSED BY: Sitka Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Nonresident anglers would be required to record length of retained lingcod in addition to the currently required date and location of harvest.

WHAT ARE THE CURRENT REGULATIONS? Currently in SEAK, all anglers are allowed a one lingcod bag and possession limit. There are no length or annual limits for residents, but nonresidents are only allowed one lingcod within the slot limit of each respective area annually (30 – 35 inches in Northern Southeast and 30 – 45 inches in Southern Southeast). An additional lingcod 55 inches or greater is also allowed for nonresidents. A nontransferable harvest record is required and must be in the possession of each person taking and retaining a finfish for which an annual limit has been established statewide.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Licenses and harvest record cards may need to be modified to include a column to record length. Alternatively, language indicating length recording requirements for lingcod would need to be developed to facilitate recording lingcod length in the absence of a column to do so. It is not anticipated that this requirement would increase or decrease harvest of lingcod.

BACKGROUND: Annual limit provisions are used, in addition to bag and possession limits, to further constrain harvests, particularly if, after other measures are taken, harvest cannot be constrained to necessary levels. This can occur when bag limits have been reduced to low levels, but angling success and effort lead to unsustainable harvests or the sport fishery exceeding its allocation. In SEAK, annual limits are currently used by emergency order (EO) to manage marine king salmon, nonpelagic rockfish, sablefish, and lingcod harvests within sport fishery allocations. For these species, the board has directed the department to manage for allocations or harvest targets and directed the department to use a variety of management measures, including annual limits, through regulatory management plans. Regulatory annual limits have also been adopted by the board to limit harvest of sharks and steelhead species for which populations are low, productivity is low, or stock status information is limited. The information recorded on harvest records is not collected by the department and is used solely for enforcement of annual limits in the field.

In SEAK, the Marine Harvest Studies Program examines and samples lingcod as part of the creel program. Between 2016 and 2020 staff examined and measured 8,202 lingcod. Of these, two were over 55 inches.

Recording requirements are a statewide requirement (5 AAC 75.006. *Harvest record for finfish with an annual limit*), however, if adopted, this proposal would be specific to SEAK.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal but would defer to the Alaska Wildlife Troopers on enforcement comments on this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal could result in an additional cost to the department. Sport Fishing Harvest Record Cards and licenses may need to be modified (paper and electronic) to accommodate a length record.

PROPOSAL 232 – 5 AAC 28.1XX. Spiny dogfish pot fishery in Eastern Gulf of Alaska Area; and 5 AAC 28.174. Spiny dogfish (*Squalus acanthias*) possession and landing requirements for Eastern Gulf of Alaska Area.

PROPOSED BY: Don Westlund and Larry McQuarrie.

WHAT WOULD THE PROPOSAL DO? This would create a state waters directed fishery for spiny dogfish in the Southern Southeast Inside (SSEI) and Northern Southeast Inside (NSEI) Subdistricts (Figure 232-1).

WHAT ARE THE CURRENT REGULATIONS? In the Eastern Gulf of Alaska (EGOA), spiny dogfish may be taken and retained only as follows: (1) in the Southeast District, a longline vessel may retain spiny dogfish as bycatch that is not more than 35 percent, by round weight, of all target species taken in the directed fishery on the vessel; (2) in the Southeast District, a power troll or hand troll vessel may retain spiny dogfish as bycatch that is not more than 35 percent, by round weight, of all salmon on board the vessel; and (3) in the East Yakutat Section and the Icy Bay Subdistrict, a salmon set gillnet CFEC permit holder may retain all spiny dogfish taken as bycatch during salmon set gillnet operations; all spiny dogfish taken must be recorded on a department salmon fish ticket.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A directed fishery would increase the harvest of spiny dogfish in SSEI and NSEI. There are no stock assessments or biomass estimates for spiny dogfish in the region; therefore, the impact of a directed fishery on spiny dogfish stocks in these subdistricts is unknown. Additionally, a directed fishery would result in incidental bycatch of other species, including, but not limited to, halibut, rockfish, sablefish, lingcod, and Pacific cod.

BACKGROUND: Spiny dogfish are a long-lived, late maturing species with long recovery times when stocks are overexploited. Large or rapid increases in the spiny dogfish population are unlikely because of their low reproductive rate. Spiny dogfish are highly migratory and often found in dense aggregations. Prior to 1998, there were no commercial or sport fishery harvest limits for dogfish in Alaska waters. In 1998, concerns about overharvest of shark species led the board to implement bag and annual limits of one shark per day and two per year in the sport fishery and prohibit directed commercial fishing for spiny dogfish, even though there had been no directed commercial fisheries in Southeast Alaska. In 2010, the board liberalized the sport fishery spiny dogfish bag and possession limits to five daily with no annual limit; however, bag limits are rarely utilized.

Currently, there are no directed fisheries for spiny dogfish in state or federal waters in the Gulf of Alaska; spiny dogfish are caught incidentally with almost all catch discarded. Spiny dogfish are commonly caught in commercial longline fisheries for sablefish, halibut, rockfish, and Pacific cod. In SSEI and NSEI, a total of 173,030 round pounds of spiny dogfish have been recorded on fish tickets since 2000 as discarded at-sea or at-port; however, shark discards are rarely reported and bycatch mortality is unknown for dogfish but is assumed to be high. Prior to 2013, little data exist to calculate dogfish catch rates for the directed Pacific halibut individual fishing quota (IFQ) fleet. In 2013, an increase occurred in the estimated dogfish catch for National Marine Fisheries Service

(NMFS) statistical area 659, which corresponds to SSEI and NSEI management areas; it is unknown if the increase in catch is a result of a change in fishing behavior or due to the restructuring of the federal observer system. In the GOA, the acceptable biological catch (ABC) for spiny dogfish was estimated at 8,184 mt for 2020. This estimate is calculated using biomass estimates from the federal trawl survey; however, these estimates are considered minimum estimates and are not reliable due to large annual fluctuations.

Since 1998, the board has not adopted several proposals to establish directed commercial shark fisheries in Prince William Sound, Yakutat, the Ketchikan area, and statewide. The proposals to establish spiny dogfish fisheries near Yakutat resulted in the opportunity for unlimited harvest of dogfish in the salmon set gillnet fishery and a 35% bycatch allowance in longline and salmon troll fisheries.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The department does not have a stock assessment program for spiny dogfish in EGOA and does not support establishing a spiny dogfish fishery prior to development of a biologically-sound management plan. Based on anecdotal reports there is likely already considerable spiny dogfish fishing mortality occurring as bycatch in other fisheries. This species is highly migratory and may experience large temporal shifts in its distribution; thus, area-based management for spiny dogfish is problematic. Spiny dogfish tend to segregate spatially by sex and size, resulting in directed fisheries for spiny dogfish being selective for larger individuals (i.e., mature females). Because of this tendency to target mature females, spiny dogfish fisheries have the potential to significantly impact recruitment.

There continues to be an opportunity to prosecute a spiny dogfish fishery under a Commissioner's Permit; however, the department has not received any permit applications to date for spiny dogfish harvest, nor have there been inquiries from fish buyers or processors regarding need for spiny dogfish harvest to fulfill market demands.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery or additional costs for the department.

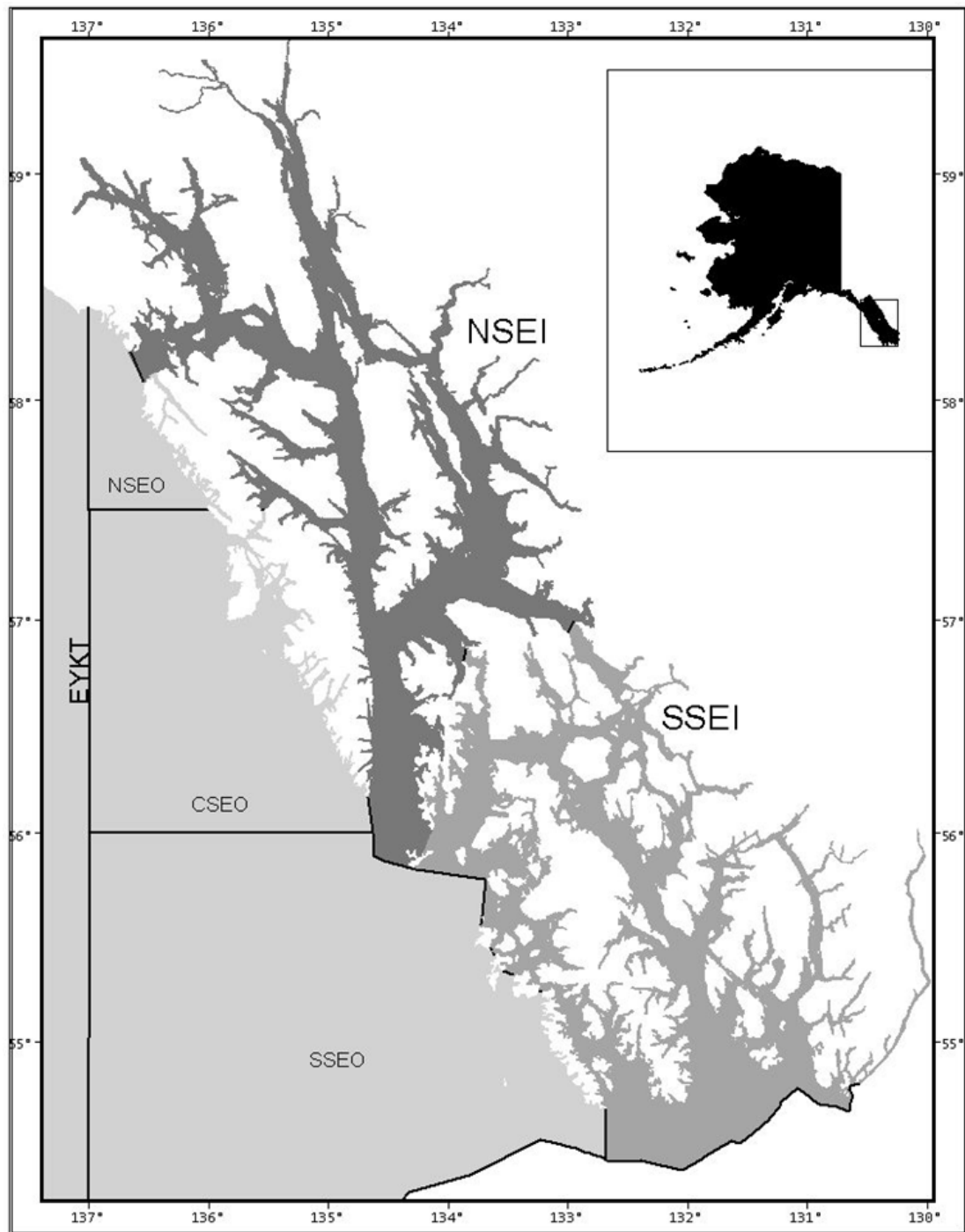


Figure 232-1.—Groundfish Management Areas in Southeast Alaska: East Yakutat (EYKT), Northern Southeast Outside (NSEO), Central Southeast Outside (CSEO), and Southern Southeast Outside (SSEO) Sections; Northern Southeast Inside (NSEI) and Southern Southeast Inside (SSEI) Subdistricts.

COMMITTEE OF THE WHOLE – GROUP 7: COMMERCIAL AND SPORT CRAB (25 proposals – Chair TBD)

Commercial and Sport Crab (25 Proposals)

PROPOSAL 190 – 5 AAC 34.113. Southeast Alaska Red King Crab Management Plan; 34.125. Lawful gear for Registration Area A.

PROPOSED BY: Petersburg Vessel Owner’s Association and Southeast Alaska Fishermen’s Alliance.

WHAT WOULD THE PROPOSAL DO? This would modify the Southeast Alaska Red King Crab Management Plan (management plan) such that if the guideline harvest level (GHL) is greater than 88,500 pounds and less than 200,000 pounds the department would open the commercial red king crab fishery and divide the GHL equally among the registered permit holders with the following stipulations:

- (1) When the harvestable surplus is above 88,500 and below 99,999 pounds of legal male red king crab, vessels will be subject to a 1,500 pound trip limit and no more than 3 days of fishing per trip to allow management to close areas as the regional GHLs are reached.
- (2) When the harvestable surplus is between 100,000 and 199,999 pounds of legal male red king crab, vessels will be subject to a 2,000 pound trip limit and no more than 5 days of fishing per trip to allow management to close areas as the regional GHLs are reached.
- (3) Permit holders will be required to register before each trip for the area and dates they plan to fish.
- (4) Permit holders will be required to call in daily to report their catch.
- (5) All pots must be removed from the water at the end of a trip.
- (6) Permit holders must wait one week between landings and the start of their next trip.

WHAT ARE THE CURRENT REGULATIONS? The management plan does not allow for a commercial fishery if the GHL is below the minimum threshold of 200,000 pounds of legal male red king crab. **The guideline harvest level is the sum of the estimates of sustainable harvest for each fishing area.**

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would allow the Southeast Alaska red king crab commercial fishery to be prosecuted with a minimum GHL of 88,500 pounds and the department would divide the GHL equally among the registered permit holders if the GHL is between 88,500 and 200,000 pounds. Initially this would result in the commercial fishery being opened more frequently than under current regulations and increased commercial harvest. In the longer term this would likely result in reduced abundance of red king crab in Southeast Alaska, and fewer crab available to the personal use fishery. In the absence of a biological threshold used to determine when the fishery would open this proposal could result in harvest that is not sustainable in some years. The other proposed prescriptions for the fishery, namely trip limits, gear removal, and one-week pauses would likely lead to longer commercial seasons than under current management. The department would continue to conduct annual stock

assessment surveys, evaluate other sources of data, such as fishery performance, and using the best available information, would determine what amount of commercial red king crab harvest, if any, is sustainable.

Currently, if the red king crab commercial fishery is closed because the 200,000-pound minimum GHL threshold is not met, this triggers the department to consider reducing the personal use red king crab bag and possession limit, provided that the personal use red king crab fishery is not closed because of conservation concerns (5 AAC 77.664). The bag and possession limit is three red king crab when the commercial fishery is open. This proposal could create a situation where the commercial red king crab fishery is open, but the personal use red king crab bag and possession limit may be reduced because the regionwide red king crab GHL is less than 200,000 pounds.

BACKGROUND: In 1976, the department received funds to survey portions of Southeast that were not normally fished by the commercial fleet. The purpose was to find additional stocks to help support the commercial fishery. Three commercial fishermen were contracted to fish for 10 days each in districts 3 and 4 during February and March. While some small, isolated stocks of red king crab were identified, the numbers of legal crab available were very few and insufficient to support a commercial fishery. Catch rates were less than 0.01 legal crabs per pot.

During the 1988 Southeast shellfish board meeting, the board adopted regulations that allowed experimental fishing in non-traditional areas by commercial king crab permit holders. These regulations required that logbooks be completed. This experimental fishing effort was an attempt to find new and significant stocks to reach the threshold and reopen the commercial fishery. During the 1988/1989 and 1989/1990 seasons, the department issued experimental permits to 19 permit holders who fished at various times from July–January. Of the 19 permits issued, seven resulted in landings. The total amount landed was 2,061 lb. Thirty-six subdistricts were fished, with harvests reported from ten subdistricts. After two seasons of exploratory fishing, it was obvious that interest in these fisheries was low, catches were poor, and no major unexploited populations of either species had been found. Due to poor fishing performance and frequent regulation violations, the board repealed regulations allowing for experimental king crab fishing in Southeast in 1990.

A quota of 1.5 million pounds was set for the king crab (all species combined) commercial fishery in 1970. Separate red and golden king crab fisheries were recognized with the adoption of distinct seasons and quotas in 1971. From 1971 through the 1978/79 season, the red king crab quotas, guideline harvest ranges (GHRs), and guideline harvest levels were based upon historical harvest and limited size distribution information obtained from the dockside sampling program. The first red king crab quota was set in 1971 at 400,000 pounds per season. This was increased to 600,000 pounds in 1974, and then reduced to 400,000 pounds in 1977.

Quotas were replaced by GHRs after 1977. The first GHR of 200,000 to 400,000 pounds was established in 1978. The GHR was increased to 300,000 to 600,000 pounds in 1979 based on industry recommendations. Since the 1980/1981 season, allowable harvests, expressed as either GHLs or GHRs, have been based on results from the red king crab stock assessment survey. Beginning in 1988 a threshold of 300,000 pounds of a harvestable surplus of legal sized crab had to be available before the commercial fishery would be opened. In 2002, this threshold was reduced to 200,000 pounds by the board in response to an industry proposal for economic reasons. Part of

this threshold reduction included a three-year sunset clause. The sunset clause was removed in 2005 and the current threshold has been in place since then.

In 1993, the board adopted a comprehensive management plan for red king crab in Southeast designed to be consistent with the board's *Policy on King and Tanner Crab Resource Management* (90-04-FB, March 23, 1990). The plan contains several key elements that include 1) provisions to maintain an adequate abundance of various size classes of males and females necessary to provide for sustained harvests and stock conservation, 2) an applicable harvest rate based on legal and mature male abundance, 3) a GHL based on stock conditions for each fishing area, 4) a minimum harvest threshold of legal male abundance, 5) ability to manage and conduct an orderly fishery, and 6) employ conservative management when information is lacking.

Additional elements used to manage the fishery are included in regulations concerning allocation between commercial and personal use fishermen in Section 11-A, lawful gear, and closed waters. A mandatory call-in program was implemented for all seasons after success with a voluntary call-in program during 2001/02 season.

DEPARTMENT COMMENTS: The department is **OPPOSED** to repealing the current GHL and replacing it with lower GHL ranges if biological thresholds are not incorporated into the management plan.

The board has eliminated minimum GHLs for some king and Tanner crab fisheries where inseason management concerns have been alleviated through other regulatory action, however management plans for those fisheries contain biological or abundance-based thresholds that serve as buffers in protecting stock reproductive potential. Similar buffers are not incorporated into the management plan for red king crab in Southeast Alaska.

Without abundance or biological-based thresholds, including a minimum GHL, explicitly defined in regulation, the department would use professional judgment in evaluating the best available information to establish a sustainable GHL. Before opening the Southeast Alaska red king crab fishery with a GHL of less than 200,000 pounds, a red king crab harvest strategy with an abundance or biological-based fishery threshold should be developed and adopted by the board. If adopted, the board should consider whether the department should continue to consider reducing the personal use bag and possession limit at mature biomass levels less than 200,000 pounds.

Some of the tools in this proposal, such as trip limits and mandatory reporting would be useful in managing this fishery.

The Department is **NEUTRAL** on the allocative elements of this proposal.

COST ANALYSIS: If the approval of this proposal led to prolonged seasons under an equal share arrangement, the proposed trip limits, gear removal, and one-week pauses would likely result in an additional direct cost for a private person to participate in this fishery. Likewise, prolonged seasons under an equal share arrangement with trip limits, pre-registrations to declare areas fished, and mandated daily call-ins would likely result in additional costs for the department to manage the fishery.

PROPOSAL 191– 5 AAC 34.113. Southeast Alaska Red King Crab Management Plan.

PROPOSED BY: Petersburg Vessel Owner’s Association and Southeast Alaska Fishermen’s Alliance.

WHAT WOULD THE PROPOSAL DO? The proposal seeks to modify the *Southeast Alaska Red King Crab Management Plan* by allowing permit holders to commercially fish for red king crab within all areas of Registration Area A except Section 11-A on even years, effectively removing the 200,000 lb threshold in regulation. It specifies the fishery would be prosecuted for a minimum of three days and a maximum of seven days, for a period ending January 1, 2027. Fishery managers would have the authority to close areas with a five-hour notice, based on commercial catch per unit effort (CPUE). If an area has a high CPUE, managers may reopen areas at their discretion. Permit holders would be required to register for the areas they plan to fish for each trip. Managers would need to be notified six hours in advance of a permit holder setting gear in a new area. Permit holders would also be required to call in daily to report their catch. Verbiage would be added to the management plan with guidance on setting GHGs without survey or historical catch information.

WHAT ARE THE CURRENT REGULATIONS? Current regulations allow a commercial red king crab fishery in Registration Area A only when the estimated harvestable biomass exceeds 200,000 lb of legal male red king crab.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department would continue to conduct annual stock assessment surveys, evaluate other sources of data such as fishery performance, and using the best available information would determine what amount of commercial red king crab harvest, if any, is sustainable during odd years. Initially this would result in the commercial fishery being opened more frequently than under current regulations and increased commercial harvest. In the longer term this would likely result in reduced abundance of red king crab in Southeast Alaska, and fewer crab available to the personal use fishery. In the absence of a biological threshold used to determine when the fishery would open this proposal could result in harvest that is not sustainable in some years.

Currently, if the red king crab commercial fishery is closed because the 200,000-pound minimum GHG threshold is not met, the department may reduce the personal use red king crab bag and possession limit, provided that the personal use red king crab fishery is not closed because of conservation concerns (5 AAC 77.664). The bag and possession limit is three red king crab when the commercial fishery is open. The trigger for the department to consider reducing the personal use bag and possession limit occurs when the minimum GHG threshold (200,000 lb) is not met, not the opening of the commercial fishery. This proposal could create a situation where the commercial red king crab fishery is open, but the personal use red king crab bag and possession limit is reduced because the regionwide red king crab GHG is less than 200,000 pounds.

After the regionwide commercial red king crab GHG has been set, the department apportions the GHG to specific bays or sections based on estimated biomass in those locales. If the commercial red king crab fishery were opened with a regionwide GHG of less than 200,000 pounds, it is possible that some

of the bay or section GHLs would be too small for the department to effectively manage and would remain closed.

BACKGROUND: A quota of 1.5 million lb was set for the king crab (all species combined) commercial fishery in 1970. Separate red and golden king crab fisheries were recognized with the adoption of distinct seasons and quotas in 1971. From 1971 through the 1978/79 season, the red king crab quotas, guideline harvest ranges (GHRs), and guideline harvest levels (GHLs) were based upon historical harvest and limited size distribution information obtained from the dockside sampling program. The first red king crab quota was set in 1971 at 400,000 lb per season. This was increased to 600,000 in 1974, and then reduced back to 400,000 lb in 1977.

Quotas were replaced by GHRs after 1977. The first GHR of 200,000—400,000 lb was established in 1978. The GHR was increased to 300,000—600,000 lb in 1979 based on industry recommendations. Since the 1980/81 season, allowable harvests, expressed as either GHLs or GHRs, have been based on results from the red king crab index of abundance survey. Beginning in 1988 a threshold of 300,000 lb of surplus legal sized crab had to be available before the commercial fishery would be opened. In 2002, this threshold was reduced to 200,000 lb by the board based on industry-driven market considerations. Part of this threshold reduction included a three-year sunset clause. The sunset clause was removed in 2005 and the current threshold has been in place since then.

In 1993, the board adopted a comprehensive management plan for red king crab in Southeast designed to be consistent with the board's *Policy on King and Tanner Crab Resource Management* (90-04-FB, March 23, 1990). The plan contains several key elements that include 1) provisions to maintain an adequate abundance of various size classes of males and females necessary to provide for sustained harvests and stock conservation, 2) an applicable harvest rate based on legal and mature male abundance, 3) a GHL based on stock conditions for each fishing area, 4) a minimum harvest threshold of legal male abundance, 5) ability to manage and conduct an orderly fishery, and 6) employ conservative management when information is lacking.

Additional elements used to manage the fishery are included in regulations concerning allocation between commercial and personal use fishermen in Section 11-A, lawful gear, and closed waters. A mandatory call-in program was implemented for all seasons after the success with a voluntary call-in program during the 2001/02 season.

The red king crab fishery in Southeast was closed between the 2006/07 and 2010/11 seasons due to poor stock health. The fishery reopened during the 2011/12 and 2017/18 seasons. The 2020 stock assessment survey results estimated approximately 98,000 pounds of legal male red king crab available for harvest, below the minimum threshold of 200,000 pounds required to open the commercial fishery [5 AAC 34.113]. For 2020, the regionwide biomass estimates for mature and legal male red king crab decreased from 2019 and have been decreasing since 2017.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Without abundance or biological-based thresholds, including a minimum GHL, explicitly defined in regulation, the department would use professional judgment in evaluating the best available information to establish a sustainable GHL. Before opening the Southeast Alaska red king crab fishery with a GHL of less than 200,000 pounds, a red king crab harvest strategy with an abundance or

biological-based fishery threshold should be developed and adopted by the board. If adopted, the board should consider whether the department should continue to consider reducing the personal use bag and possession limit at mature biomass levels less than 200,000 pounds.

The department is **NEUTRAL** on all allocative aspects of this proposal.

COST ANALYSIS: Adoption of this proposal is not expected to result in an additional direct cost for a private person to participate in the fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 192 – 5 AAC 34.114. Southeast Alaska Golden King Crab Management Plan.

PROPOSED BY: Petersburg Vessel Owner’s Association and Southeast Alaska Fishermen’s Alliance.

WHAT WOULD THE PROPOSAL DO? This would add language from the board’s *Policy on King and Tanner Crab Resource Management* to the *Southeast Alaska Golden King Crab Management Plan*. Specific language would be added from the Management Measures section of the policy (Guideline Harvest Levels and Inseason Adjustments) such that each management area would open for a set of tides to a preseason GHL that is a minimum of 10% of the upper range of that area’s GHR. After one set of tides, the GHL would be reassessed.

WHAT ARE THE CURRENT REGULATIONS? The management plan directs the department to manage the golden king crab fishery consistent with the board’s *Policy on King and Tanner Crab Resource Management* (90-04-FB, March 23, 1990), which is adopted by reference, and according to the principles set in regulation. To the extent possible, golden king crab shall be managed as a separate stock in each defined fishing area. The department shall close an area if the abundance of various sizes of male crabs is inadequate to provide for a sustained harvest, or when potentially high effort precludes an orderly fishery. Finally, the department shall base management on historical fishery performance, catch, and population structure information. A lack of adequate information will result in conservative management.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would open fishery areas to a minimum GHL of 10% of the upper end of their respective GHRs that can be reassessed after one set of tides or next smallest tidal range within the post season opening tidal cycle resulting in increased golden king crab harvest in some years relative to current management. Stakeholders may not be able to gauge in advance when an area would close based on the amount of GHL remaining, since GHL levels would constantly be open to reinterpretation. Though not specifically addressed in the proposed language, the proposal would effectively change *Guideline harvest ranges for Registration Area A* (5 AAC 34.115) to increase the lower end of the GHRs for each fishery area from 0–10% of the upper end of the GHR. The department maintains the ability to manage for sustained yield and if it is determined harvest is unsustainable the fishery may be closed preseason (AS 16.05.020 (2)).

BACKGROUND: Currently, the department annually sets fishery area GHLs within established GHRs based on past fishery performance, population size class composition, indicators of recruitment, and spatial distribution of harvest. Data are reviewed in detail annually and GHLs are maintained, increased, or decreased depending on trends in the available data. GHLs are set and announced preseason. Assessment of inseason harvests related to GHLs is targeted through a mandatory daily call-in program. Based on harvest and catch rates from fish tickets and call-ins, the department projects when harvest will reach the GHL. After consultation with permit holders on the grounds to confirm current effort and catch rates, expected future effort, and consideration of tides and weather conditions on gear removal, the department announces the closure date. Fishery areas may be closed prior to reaching the GHL for conservation concerns (generally weak fishery performance).

Because of the allowable gear (100 pots maximum), depth in which gear is set, strong tidal currents, and weather considerations, a substantial advance notice is necessary before closing an area to allow permit holders time to pull their gear. Frequently, area closures must be delayed

beyond the time needed to attain the GHL because large tidal ranges either slow the rate of gear recovery or make it impossible due to submerged buoys. In addition, catch rates and fleet movement may be different from what is projected between the announcement of a closure and the date and time a fishery closes.

The board took no action on similar proposals such as, Proposal 178 in 2009 and Proposal 68 in 2018.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. There are no significant benefits to the management approach put forth in this proposal. The proposal seeks to limit the department's ability to manage this fishery using best available information on stock health and fishery performance. If required to manage inseason and potentially adjust GHLS upwards or downwards based on catch rates and a host of other factors, the department would need to develop a standard for comparison, along with well-defined decision rules, to avoid the need to make highly subjective decisions under the pressure of the ongoing fishery. Catch rates would be compared to the standard and the season would be adjusted as necessary. Instead of using several years of data that have been carefully reviewed before making decisions, the department would be required to make rapid decisions based on a small amount of data with minimal opportunity for analysis. The risk of making the incorrect decision would increase under this approach. It is also likely that the department would not be able to provide as much advance notice for area closures, which has historically been a major concern of the fleet.

The Southeast Alaska *Golden King Crab Management Plan* states the fishery is to be managed according to the *Policy on King and Tanner Crab Resource Management*, managing by fishery area to the extent possible, closing areas if abundance of male crabs is inadequate to provide for sustainable harvest, using fishery performance and population structure information, and managing conservatively when information is lacking. To this end, with the golden king crab fishery in some areas in decline in recent years, the department has reviewed data inseason and has closed fishery areas short of GHLS due to conservation concerns in order to protect the long-term reproductive potential of the stock. This proposal undermines the department's ability to manage conservatively by mandating the department consider adjusting GHLS inseason when no conservation concerns exist and does not allow the department to consider the seasonal closure of a specific fishery area by mandating the GHL be at least 10% of the upper end of the GHR.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 193 – 5 AAC 34.107. Description of golden king crab fishing areas within Registration Area A.

PROPOSED BY: Petersburg Vessel Owner's Association and Southeast Alaska Fishermen's Alliance.

WHAT WOULD THE PROPOSAL DO? This would increase the size of the golden king crab management area known as the Southern Area.

WHAT ARE THE CURRENT REGULATIONS? The Southern Area is defined as all waters of District 1 and District 2, all waters of District 6 south of a line from Point Colpoys at 56° 20.18' N. lat., 133° 11.90' W. long., to Macnamara Point at 56° 20.18' N. lat., 133° 03.54' W. long., and all waters of District 7 south of the latitude of Point Eaton at 55° 56.80' N. lat.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would open additional area within the southern golden king crab management area, effectively adding portions of statistical areas 107-20 and 107-30 (Figure 194-1). Adoption of the proposal would not increase the existing guideline harvest range (GHR) for the Southern Area.

BACKGROUND: Due to the propensity of the fleet to concentrate fishing effort in the most productive fishing grounds, and to prevent overexploitation in a defined area, the board established separate GHRs for the three primary traditional fishing areas in the 1987/88 season. All waters of Southeast not described in the major traditional fishing areas were opened as exploratory areas (Table 194-1). In 1993/94, the defined traditional fishing areas were expanded from three areas to five areas when the Clarence Strait and Cape Ommaney fishing areas were added, and exploratory areas were no longer defined in regulation. The Clarence Strait area was renamed Southern Area in 2005. The proposed additional area does contain substrate and depths where golden king crab reside. Some golden king crab harvest occurred in statistical areas 107-20 and 107-30 between the 1982/83 and 1998/99 seasons, but it is unknown what proportion of this harvest occurred in the proposed additional area.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 194 – 5 AAC 34.108. Description of blue king crab fishing areas within Registration Area A.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? It would remove Glacier Bay from the list of blue king crab fishing areas within Registration Area A.

WHAT ARE THE CURRENT REGULATIONS? State regulations define Glacier Bay as a blue king crab fishing area.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would align state and federal regulations concerning commercial blue king crab within Glacier Bay.

BACKGROUND: Blue king crab fishing areas were first defined in regulation in 1996. After these areas were defined, federal regulation changes effective in 1999 prohibited commercial king crab fishing within Glacier Bay.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Federal regulations prohibit commercial king crab fishing in Glacier Bay. Removing the reference to Glacier Bay as a blue king crab fishing area will make state regulations consistent with federal regulations for the commercial blue king crab fishery in Glacier Bay.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

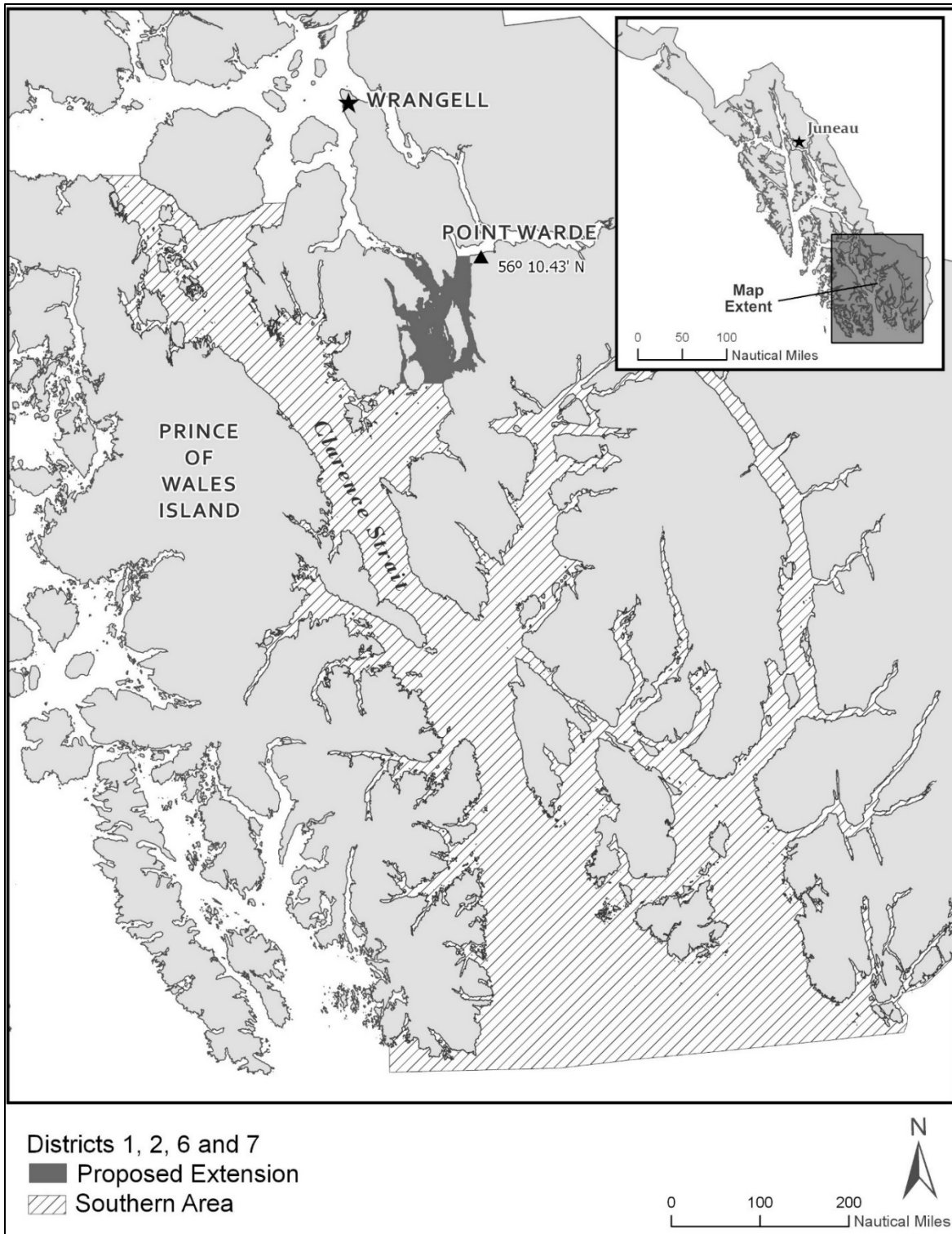


Figure 194-1.—Map showing the proposed expanded boundary definition for the Southern golden king crab management area.

Table 194-1.—Description of historical management areas and their quota or GHRs for Southeast (SEAK) and Yakutat.

Seasons	Quotas, GHRs, and Management Areas	Area
<1969/70	No Limit	SEAK/Yakutat
1970/71	Quota: 1,500,000 lb of all king crab	SEAK/Yakutat
1971/72 to 1977/78	Quota: 600,000 lb of GKC	SEAK/Yakutat
1978/79 to 1983/84	GHR: 50,000 to 200,000 lb of GKC	SEAK/Yakutat
1984/85 to 1986/87	Traditional Fishing Grounds GHR: 200,000 to 500,000 lb of GKC	SEAK Only
	Nontraditional Fishing Grounds: No GHR	SEAK/Yakutat
1987/88 to 1993/94	Frederick Sound: 200,000 to 600,000 lb	SEAK Only
	Icy Straits: 150,000 to 250,000 lb	
	Chatham Straits: 200,000 to 350,000 lb	
	Exploratory Areas: No fixed GHR	
1993/94 to 1999/00	Frederick Sound: 0 to 350,000 lb	SEAK Only
	Icy Strait: 0 to 250,000 lb	
	Chatham Strait: 0 to 150,000 lb	
	Cape Ommaney: 0 to 100,000 lb	
	Clarence Strait: 0 to 25,000 lb	
2000/01 to 2004/05 (Unofficial Management Areas)	New Frederick Sound: 0 to 225,000 lb	SEAK Only
	North Frederick Sound: 0 to 25,000 lb	
	New Icy Strait: 0 to 25,000 lb	
	West Icy Strait: 0 to 90,000 lb	
	Chatham Strait (Same): 0 to 150,000 lb	
	Cape Ommaney (Same): 0 to 50,000 lb	
	Clarence Strait (Same): 0 to 25,000 lb	
2004/05 to 2008/09	East Central Area: 0 to 225,000 lb	SEAK Only
	North Stephens Passage Area: 0 to 25,000 lb	
	Northern Area: 0 to 145,000 lb	
	Icy Strait Area: 0 to 55,000 lb	
	Mid-Chatham Strait Area: 0 to 150,000 lb	
	Lower Chatham Strait Area: 0 to 50,000 lb	
	Southern Area: 0 to 25,000 lb	
2009/10 to 2017/18	East Central Area: 0 to 300,000 lb	SEAK Only
	North Stephens Passage Area: 0 to 25,000 lb	
	Northern Area: 0 to 175,000 lb	
	Icy Strait Area: 0 to 75,000 lb	
	Mid Chatham Strait Area: 0 to 150,000 lb	
	Lower Chatham Strait Area: 0 to 50,000 lb	
	Southern Area: 0 to 25,000 lb	
2018/19 to Current	East Central Area: 0 to 225,000 lb	SEAK Only
	North Stephens Passage Area: 0 to 25,000 lb	
	Northern Area: 0 to 145,000 lb	
	Icy Strait Area: 0 to 55,000 lb	
	Mid Chatham Strait Area: 0 to 150,000 lb	
	Lower Chatham Strait Area: 0 to 50,000 lb	
	Southern Area: 0 to 25,000 lb	

PROPOSAL 195 – 5 AAC 35.113. Registration Area A Tanner crab harvest strategy.

PROPOSED BY: Jared Bright.

WHAT WOULD THE PROPOSAL DO? This would extend fishing time for the commercial Tanner crab fishery in the exploratory area (Figure 195-1) from 14 days to 28 days after the closure of noncore areas.

WHAT ARE THE CURRENT REGULATIONS? The Tanner crab harvest strategy sets season length for the “initial period” in which core, noncore, and exploratory areas are open based on the number of pots registered in the fishery and the mature male biomass estimate from the most recent survey. The initial period can vary from five to ten days in length. At the end of the initial period core areas close to fishing and noncore and exploratory areas are both opened an additional five days. After the noncore areas close to fishing, the exploratory areas remain open for an additional fourteen days.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The length of the commercial Tanner crab fishery would increase with a longer season in the exploratory area which is defined in regulation as the waters of Registration Area A in the exclusive economic zone (EEZ). Harvest opportunity in this area would increase, likely leading to more effort. Permit holders would be better able to work weather windows to haul gear.

BACKGROUND: Until the 1990/91 season, no management plan or harvest strategy had been in place for the commercial Tanner crab fishery. From the 1990/91 to 1998/99 seasons, a maximum allowable harvest was set in regulation at 2.0 million lb. During the 1999 board meeting, the maximum allowable harvest changed to a 2.0 million lb. Guideline Harvest Level, which was never met after it went into effect.

In 2003/04, the department began setting different season lengths in the core and noncore areas. Core areas were areas that had a historically high level of effort and harvest while noncore areas were zones that were given an extended amount of fishing time to allow for exploratory fishing in nontraditional fishing grounds.

In 2009 the board passed an amended proposal that modified the *Registration Area A Tanner crab harvest strategy* (5 AAC 35.113), currently in place. Under the harvest strategy, a regional GHL is no longer targeted. The harvest strategy includes a mature male abundance threshold that is one-half of the long-term average (1997–2003) mature male biomass. The commercial Tanner crab season length is determined by the mature male biomass estimate and the number of registered pots at the start of the fishery.

Prior to the 2018 board meeting, commercial Tanner crab fishing in the EEZ was conducted under a commissioner’s permit that described the terms and conditions. In 2018 the board amended proposals to expand waters of king and Tanner crab in Registration Areas A and D to include all waters from zero to 200 miles offshore. The board also carried an amended proposal to redefine noncore areas and define exploratory areas in the Registration Area A commercial Tanner crab fishery.

There is little information on crab stocks in offshore waters. The department does not conduct any crab surveys in these areas and information from the biennial federal groundfish trawl survey shows annual catches of fewer than four crabs (Table 195-1). Bycatch of Tanner crab in the District 16 scallop fishery, which includes waters in the Gulf of Alaska from Cape Spencer to Cape

Fairweather, has been variable over the past eleven seasons, ranging from zero in 2019/20 and 2020/21 to 2,165 crabs (all sizes and sexes combined) in 2013/2014 (Table 195-2). At the 2018 board meeting a proposal was approved that combined the District 16 scallop management area with the remainder of the Yakutat District (Area D).

No federal fishery management plan has been established for crab stocks in the Gulf of Alaska, therefore the state has management authority within the 200-mile exclusive economic zone.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal.

Proposal 198 should be considered in relation to this proposal. If both Proposals 195 and 198 are adopted, the Tanner crab season in exploratory areas could extend into early April. The department is **OPPOSED** to allowing commercial Tanner crab fishing during the molting/mating period in Southeast Alaska, occurring April through June.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

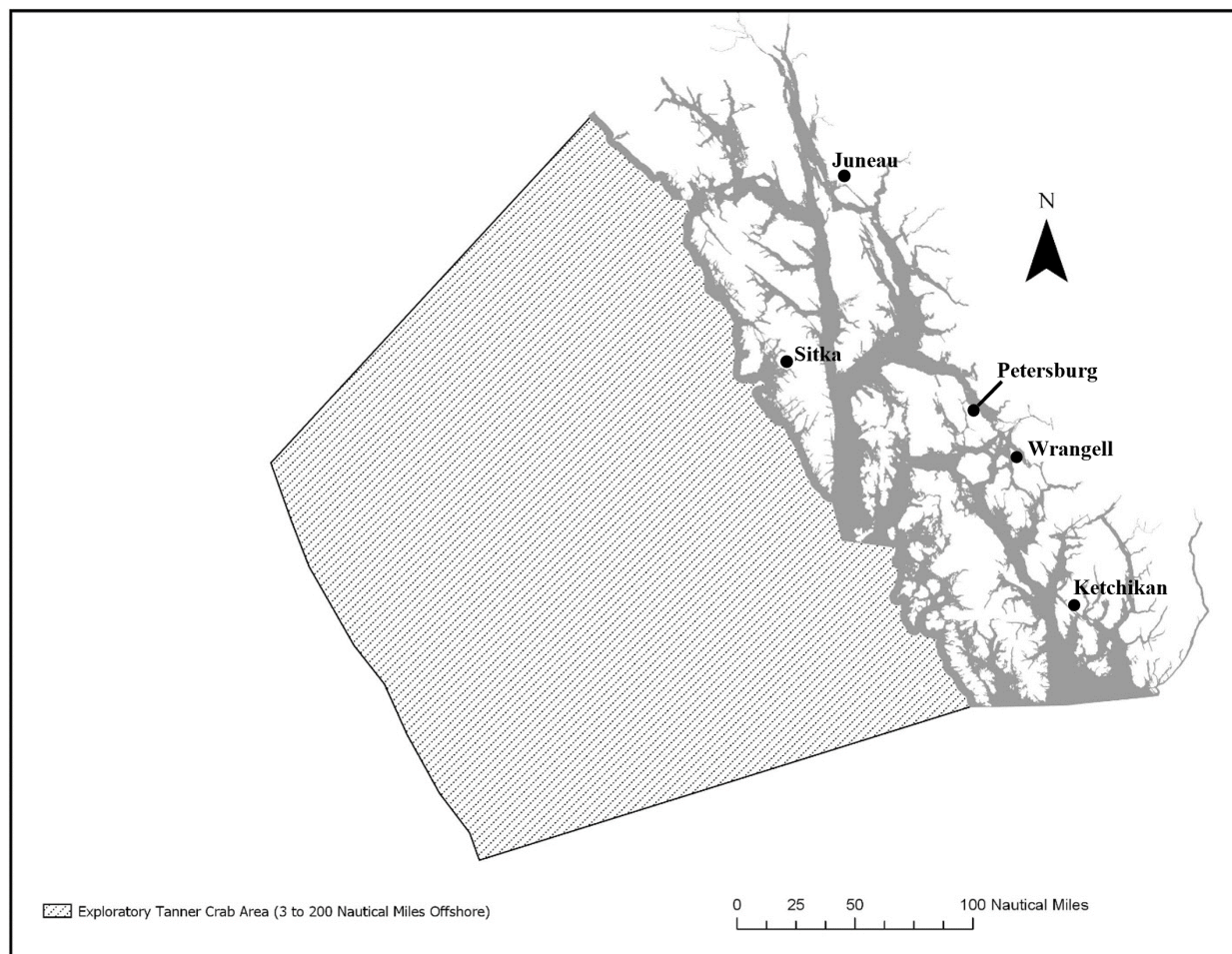


Figure 195-1.—Map showing the exploratory area [5 AAC 35.113(c)(3)] for commercial Tanner crab in Southeast Alaska.

Table 195-1.—Federal Gulf of Alaska groundfish trawl survey catch of commercially important *Chionoecetes* species in the offshore waters of Southeast Alaska, 2003–2017.

Species	2003	2005	2007	2009	2011	2013	2015	2017
Tanner (<i>C. bairdi</i>)	0	1	1	3	3	3	1	2
Grooved Tanner (<i>C. tanneri</i>)	1	0	3	1	1	0	4	0

Source: https://www.afsc.noaa.gov/RACE/groundfish/survey_data/data.htm

Table 195-2.—Estimated total Tanner crab bycatch in the District 16 scallop fishery, 2009/10–2020/21 seasons.

Season	Estimated Number of Crab
2009/10	1,020
2010/11	95
2011/12	56
2012/13	1,700
2013/14	2,165
2014/15	306
2015/16	0
2016/17	0
2017/18	0
2018/19	44
2019/20	0
2020/21	0

Source: ADF&G Scallop Observer Program

PROPOSAL 196 – 5 AAC 34.125. Lawful gear for Registration Area A.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? Reduce the pot limit for the golden king crab fishery in Southeast Alaska from 100 pots to 80 pots.

WHAT ARE THE CURRENT REGULATIONS? Pot limits in the commercial golden king crab fishery are 100 pots when the commercial red king crab or Tanner crab season is closed. If both the commercial golden king crab and Tanner crab seasons are open at the same time, an aggregate of no more than 80 king and Tanner crab pots may be operated from a vessel registered to fish for both king crab and Tanner crab. If the commercial red and golden king crab seasons are open at the same time, then the more restrictive pot limits for red king crab apply to any vessel registered to fish for king crab.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This will reduce fishing pressure on the Southeast golden king crab stock and improve management precision in targeting fishery area GHGs. This will reduce fishermen's exposure to poor weather conditions when removing gear from the fishing grounds after a fishery closure is announced. There is unlikely to be negative impact on fishermen because the fishery will continue to be managed to achieve the GHGs.

BACKGROUND: From 1961 to 1967 there were no restrictions on the amount or type of gear that could be fished by a vessel participating in the king crab fishery. In 1968, a limit of 40 pots per vessel was established for Southeast waters. The maximum number of pots per vessel was increased to 60 in 1974 and to the current 100 in 1978.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The current limit of 100 pots in the golden king crab fishery makes it difficult to set closures to target GHGs, while allowing adequate time for gear to be moved or stored in consideration of tides and weather. Currently a five to eight-day advanced notice is typically given prior to area closures. A reduction to 80 pots would allow managers to manage more closely to fishery area GHGs before making closure announcements since less advanced notice would need to be given prior to closures due to less time required for fishermen to work deployed pots. Overall, management accuracy in targeting fishery area GHGs would improve with a lower pot limit, especially in the larger areas that typically see more effort. Table 196-1 shows management accuracy at achieving GHGs in the golden king crab fishery in the Mid-Chatham Strait, East Central, Northern, Icy Strait, and North Stephens Passage areas since the 2005/06 season.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 196-1.—GHLs, harvest (pounds), and management accuracy for five fishery areas in the golden king crab fishery from the 2005/06 through 2019/20 seasons.

Fishery Area	Season	GHL	Harvest	% of GHL
Mid-Chatham Strait	2005/06	80,000	81,463	102
	2006/07	80,000	78,416	98
	2007/08	80,000	89,873	112
	2008/09	100,000	123,626	124
	2009/10	110,000	141,558	129
	2010/11	110,000	114,966	105
	2011/12	110,000	106,620	97
	2012/13	110,000	99,101	**90
	2013/14	110,000	43,475	**40
	2014/15	80,000	30,910	**39
	2015/16	40,000	9,228	**23
	2016/17	20,000	*	*
	2017/18	10,000	*	*
	2018/19	8,000	4,481	**56
	2019/20	CLOSED	N/A	N/A
East Central	2005/06	225,000	249,330	111
	2006/07	225,000	243,675	108
	2007/08	225,000	251,004	112
	2008/09	225,000	303,811	135
	2009/10	260,000	308,013	118
	2010/11	260,000	305,659	118
	2011/12	260,000	223,616	86
	2012/13	285,000	265,049	93
	2013/14	200,000	81,375	**41
	2014/15	115,000	25,259	**22
	2015/16	30,000	9,052	**30
	2016/17	15,000	972	**6
	2017/18	CLOSED	N/A	N/A
	2018/19	15,000	6,749	**45
	2019/20	CLOSED	N/A	N/A
Northern	2005/06	120,000	142,455	119
	2006/07	120,000	152,145	127
	2007/08	120,000	184,227	154
	2008/09	145,000	156,261	108
	2009/10	145,000	176,782	122
	2010/11	145,000	161,522	111
	2011/12	145,000	150,453	104
	2012/13	105,000	102,351	97

-continued-

Table 196-1.–Page 2 of 2.

Fishery Area	Season	GHL	Harvest	% of GHL
Northern	2013/14	105,000	39,802	**38
	2014/15	65,000	7,226	**11
	2015/16	15,000	6,939	**46
	2016/17	10,000	5,610	**56
	2017/18	7,500	1,852	**25
	2018/19	CLOSED	N/A	N/A
	2019/20	CLOSED	N/A	N/A
Icy Strait	2005/06	55,000	61,290	111
	2006/07	55,000	71,058	129
	2007/08	55,000	58,453	106
	2008/09	55,000	51,026	93
	2009/10	45,000	42,136	94
	2010/11	45,000	44,882	100
	2011/12	45,000	45,244	101
	2012/13	30,000	8,185	**27
	2013/14	20,000	19,583	98
	2014/15	18,000	12,359	**69
	2015/16	12,000	10,255	**85
	2016/17	10,000	7,007	**70
	2017/18	7,500	6,458	86
	2018/19	7,500	*	*
	2019/20	7,500	6,833	91
North Stephens Passage	2005/06	20,000	16,366	82
	2006/07	20,000	19,450	97
	2007/08	20,000	27,441	137
	2008/09	20,000	22,770	114
	2009/10	20,000	20,568	103
	2010/11	20,000	20,714	104
	2011/12	20,000	15,657	**78
	2012/13	10,000	5,323	**53
	2013/14	10,000	7,644	**76
	2014/15	8,000	6,280	**79
	2015/16	8,000	5,321	**67
	2016/17	8,000	16,558	207
	2017/18	10,000	10,345	103
	2018/19	11,000	17,581	160
	2019/20	13,000	19,769	152

* Fewer than 3 permits were fished; information is confidential.

** Fishery area closed short of the GHL due to stock health concerns or low effort.

PROPOSAL 197 – 5 AAC 35.113. Registration Area A Tanner crab harvest strategy.

PROPOSED BY: Jared Bright.

WHAT WOULD THE PROPOSAL DO? This would modify regulations that define noncore and exploratory areas. Statistical areas currently defined as noncore areas that have had no commercial Tanner crab effort in the previous three seasons would be redefined as exploratory areas and would be open fourteen additional days after the closure of noncore areas. The exclusive economic zone (EEZ), currently defined as an exploratory area, would be considered another newly defined area open for twenty-eight days after the closure of noncore areas. Since the proposer’s substitute language for 5 AAC 35.113(c)(2) does not include “that are not described in (1) of this section” it’s unclear whether this proposal also seeks to redefine statistical areas within core areas that have had no effort in the previous three seasons as exploratory areas.

WHAT ARE THE CURRENT REGULATIONS? The Tanner crab harvest strategy sets season length for the “initial period” in which core, noncore, and exploratory areas are open based on the number of pots registered in the fishery and the mature male biomass estimate from the most recent survey. The initial period can vary from five to ten days in length. At the end of the initial period core areas close to fishing and noncore and exploratory areas open an additional five days. After the noncore areas close to fishing, the exploratory areas remain open for an additional fourteen days.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The length of the commercial Tanner crab fishery would increase with a longer season in some statistical areas currently defined as noncore areas that have had no commercial Tanner crab effort in the previous three seasons. The exploratory area currently defined in regulation as the waters of Registration Area A in the EEZ would be open an additional 14 days. The department would be obliged to assign and describe new exploratory areas by emergency order before each season.

BACKGROUND: Until the 1990/91 season, no management plan or harvest strategy had been in place for the commercial Tanner crab fishery. From the 1990/91 to 1998/99 seasons, a maximum allowable harvest was set in regulation at 2.0 million lb. During the 1999 board meeting, the maximum allowable harvest changed to a 2.0 million lb. guideline harvest level, which was never met after it went into effect.

In 2003/04, the department began setting different season lengths in the core and noncore areas. Core areas were areas that had a historically high level of effort and harvest while noncore areas were zones that were given an extended amount of fishing time to allow for exploratory fishing in nontraditional fishing grounds.

In 2009 the board passed an amended proposal that modified the *Registration Area A Tanner crab harvest strategy* (5 AAC 35.113), currently in place. Under the harvest strategy, a regional GHL is no longer targeted. The harvest strategy includes a mature male abundance threshold that is one-half of the long-term average (1997–2003) mature male biomass. The commercial Tanner crab season length is determined by the mature male biomass estimate and the number of registered pots at the start of the fishery.

Prior to the 2018 board meeting, commercial Tanner crab fishing in the EEZ was conducted under a commissioner’s permit that described the terms and conditions. In 2018 the board amended proposals to expand waters of king and Tanner crab in Registration Areas A and D to include all waters from zero to 200 miles offshore. The board also carried an amended proposal to redefine

noncore areas and define exploratory areas in the Registration Area A commercial Tanner crab fishery. Core, noncore, and exploratory areas as currently defined are presented in Figure 197-1.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on the allocative aspects of this proposal and **OPPOSED** to the proposed changes to the harvest strategy.

This proposal would greatly increase commercial Tanner crab fishing time in the inside waters of Southeast by annually redefining statistical areas currently defined as noncore and exploratory. Noncore areas are currently open for a total of ten to fifteen days depending on the length of the initial period. Some of these areas currently categorized as noncore would become exploratory and gain an additional fourteen days of season length. Areas currently categorized as noncore are areas that the department has less information about the status of Tanner crab stocks because they are not part of the annual stock assessment survey. On the inside waters of Southeast, movement of adult male Tanner crabs between core and noncore areas is poorly understood. Adoption of this proposal would lead to a less orderly fishery with a patchwork of core, noncore, and exploratory areas all with different season lengths that would be challenging to describe, explain, and enforce.

Proposal 198 should be considered in relation to this proposal. If both Proposals 197 and 198 are adopted, the Tanner crab season in exploratory areas could extend into early April. The department is **OPPOSED** to allowing commercial Tanner crab fishing during the molting/mating period in Southeast Alaska, occurring April through June.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Commercial Tanner Crab Management Core, Noncore, Exploratory, and Closed Areas of Registration Area A

Refer to 5 AAC 35.113 for Legal Descriptions

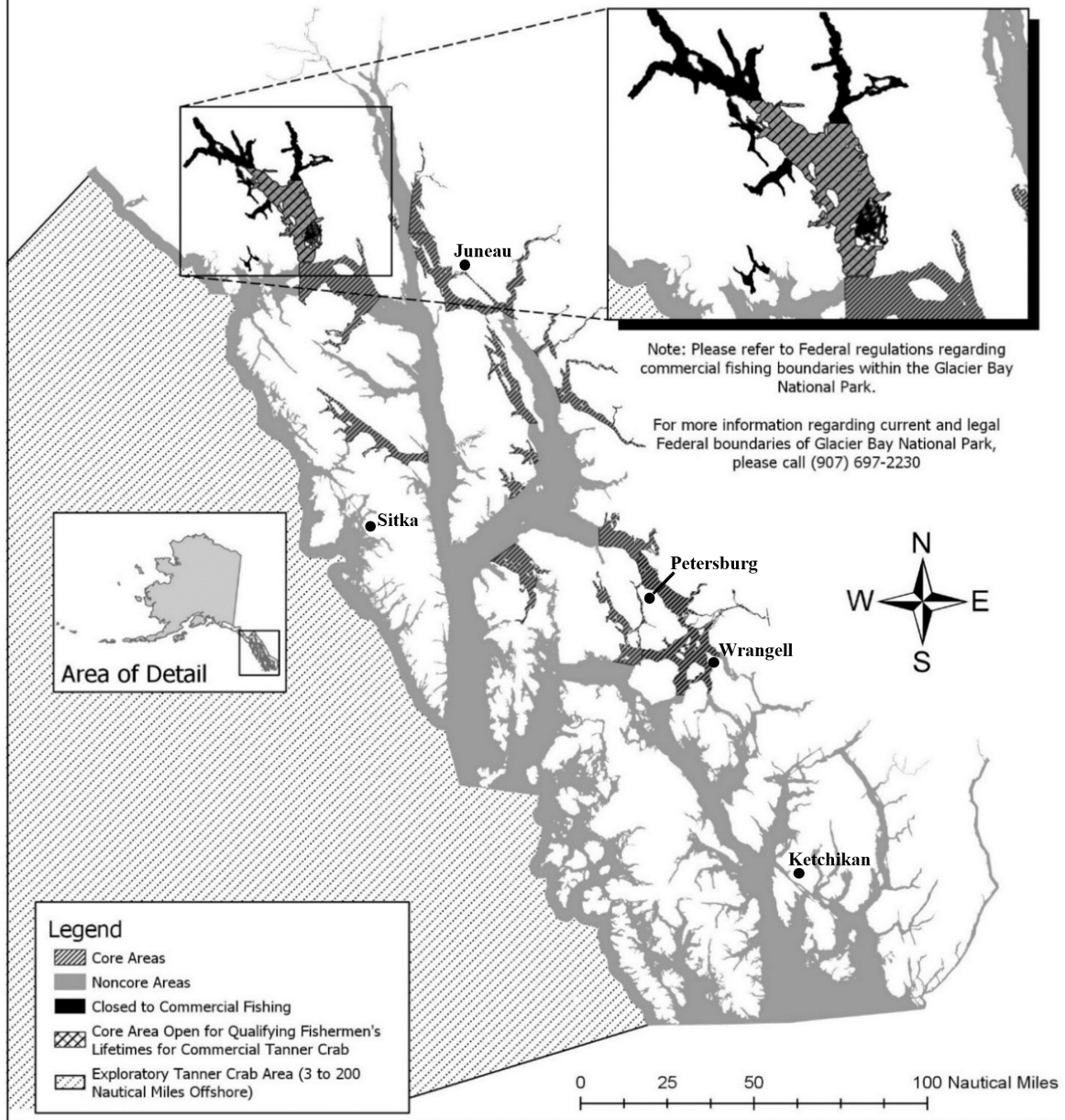


Figure 197-1.— Management areas for the commercial Tanner crab fishery in Southeast Alaska.

PROPOSAL 198 - 5 AAC 34.110. Fishing seasons for Registration Area A; 5 AAC 35.110. Fishing season for Registration Area A.

PROPOSED BY: Joe Willis.

WHAT WOULD THE PROPOSAL DO? This would adopt a fixed start date of February 20 for both the commercial Tanner and golden king crab fisheries in Southeast Alaska.

WHAT ARE THE CURRENT REGULATIONS? The commercial fishing seasons for Tanner and golden king crab in Southeast begin on the date with the smallest Juneau tidal range between February 10 and February 17, as announced by emergency order. There is also a provision [5 AAC 35.110(b) & 5 AAC 34.110(f)] that the season opening may be delayed if the National Weather Service forecast for the major fishing areas contains gale force wind warnings of 35 knots or higher on the 4:00 a.m. forecast for the day preceding the start date and the following day, in which the season opening will be delayed 24 hours.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? By using a fixed start date, fishermen will know well in advance when the fishery will open. Amount of fishing time provided would not change.

BACKGROUND: Commercial golden king crab and Tanner crab fisheries open concurrently by regulation in Southeast. Participants may hold a permit for golden king crab only, Tanner crab only, or a combination of both golden king crab and Tanner crab. Regulations (5 AAC 35.125(b)(3) and 5 AAC 34.125(b)(3)) allow simultaneous registration for both fisheries, but these simultaneous registrants are limited to 80 pots. Often, those with a combination or dual permits registered for both fisheries begin the season targeting Tanner crab and then switch to golden king crab. To utilize the full allotment of 100 golden king crab pots, the permit holder must first unregister from the Tanner crab fishery.

In 1974, the season start date changed to September 1. During much of the 1970s, the season started on September 1 and closed by emergency order in April or early May. In 1981, the season started on December 1 and closed on April 16, 1982, by emergency order. In 1982, the season was closed by emergency order in mid-December after two weeks of fishing because of unprecedented effort heavily concentrated in District 14. In early 1983, the season start date changed to February 10.

Prior to the 1985/86 season, the golden king crab fishery opened in October concurrently with the red king crab fishery. The red king crab fishery did not open in October 1985 for the 1985/86 season, creating uncertainty over when the golden king crab season should open within the available fishing season. The opening of the 1985/86 golden king crab season was postponed until the start of the Tanner crab fishery on February 10, 1986, following department discussions with industry. The golden king crab and Tanner fisheries have open concurrently since the 1985/86 season. In 1987, the season start date changed to January 15 to be consistent with the opening date in other areas of the state. The season changed again in 1989, starting on February 15, to reduce conflict with the January food and bait herring fishery in which many crab harvesters participated. From the 1989/90 season through the 2004/05 season, both fisheries opened concurrently on February 15.

In 2005, the board adopted a proposal allowing a flexible start date for both fisheries of the day subject to the smallest Juneau tidal range occurring between February 10 and 17, designed to benefit participants in both fisheries. Golden king crab permit holders would be able to set gear on smaller tides, improving their efficiency and minimizing gear loss. Tanner crab permit holders would benefit by having opportunity for holders of dual Tanner and golden king crab permits to begin fishing for golden king crab prior to Tanner crab, thereby decreasing effort in the Tanner crab fishery.

The first season the new regulation went into effect the smallest Juneau tidal range occurred on February 10, 2006. Since tides were building after February 10, industry requested that the department modify the season opening date, and in response the department selected February 15 as the season opening. From 2005/06 to 2010/11, in an effort to fulfill the intent of the regulation, to start both fisheries on favorable tides to minimize gear loss and reduce Tanner crab effort, the department worked with the Southeast King and Tanner Task Force (KTTF) to establish an agreed upon season start date. Since not all industry members of the industry participate in the KTTF process, there was not universal agreement among industry on using the KTTF to advise the department on a season start date. For the 2010/11 season, KTTF and the department agreed upon February 15 for the season start date which corresponded to a start date on relatively large and building tides. The Tanner crab fishery has started February 17 three out of the past five seasons and is slated to start on that date for the 2020/21 season (Table 198-1).

The department submitted Proposal 157 at the 2012 board meeting that would have set a fixed start date of February 15 for both the commercial Tanner and golden king crab fisheries in Southeast Alaska. That proposal was voted down.

DEPARTMENT COMMENTS: The department **OPPOSES** setting a fixed season opening date for the commercial Tanner and golden king crab fisheries. The current regulations provide the department flexibility in setting a season opening on the most favorable tides between February 10 and 17 which reduces potential for gear loss and improves fishing efficiency for permit holders.

This proposal should be considered in relation to Proposals 195 and 197. If either Proposals 195 or 197 and 198 are adopted, the Tanner crab season in exploratory areas could extend into early April. The department is **OPPOSED** to allowing commercial Tanner crab fishing during the molting/mating period in Southeast Alaska, occurring April through June.

COST ANALYSIS: Adoption of this proposal is not expected to result in an additional direct cost for a private person to participate in the fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 198-1.—Dates for the smallest Juneau tidal range and Tanner/golden king crab season start dates for the 2015/16 through 2020/21 seasons.

Season	Date of Smallest Juneau tidal range
2015/16	February 17, 2016
2016/17	February 17, 2017
2017/18	February 10, 2018
2018/19	February 12, 2019
2019/20	February 17, 2020
2020/21	February 17, 2021

PROPOSAL 199 – 5 AAC 34.128. Operation of other gear in Registration Area A.

PROPOSED BY: Yancey Nilsen and Nels Otness.

WHAT WOULD THE PROPOSAL DO? This would allow commercial Tanner crab and king crab fishermen to operate subsistence, personal use, or sport shrimp or Dungeness crab pots prior to and during an open Tanner crab or king crab fishery.

WHAT ARE THE CURRENT REGULATIONS? Fishermen registered for the commercial Tanner crab or king crab fishery may not participate in those fisheries if they operated subsistence, personal use, or sport pots or ring nets, other than commercial shrimp pots or Dungeness crab pots during the 30 days immediately before the scheduled opening date, and may only operate commercial shrimp pots or Dungeness crab pots if those commercial fishery seasons are opened at the same time as the commercial Tanner or king crab seasons.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? It would allow fishermen planning to or actively participating in a commercial Tanner crab or king crab fishery in Registration Area A to fish for subsistence, personal use, or sport shrimp and/or Dungeness crab. This would allow commercial pot limits to be circumvented, since Dungeness crab pot dimensions for subsistence, personal use, or sport fishing are loosely defined in regulation and they could be configured to target Tanner or king crab. This would also make it difficult to enforce the prohibition on sale of subsistence, sport, or personal use caught crab.

BACKGROUND: In 1995 the board implemented 5 AAC 34.128 with a 14-day stand down on commercial, subsistence, personal use, or sport pots or ring nets, other than commercial shrimp pots or Dungeness crab pots, 14 days immediately before the scheduled opening date of the commercial king crab season. At the 1997 board meeting the department submitted a proposal to extend the stand down period from 14 days to 30 days to help reduce the concentration of high fishing effort in areas of local abundance. High initial effort concentrated in the most productive areas could result in a disproportionate harvest. In 1998 the board lengthened the stand down period to 30 days.

DEPARTMENT COMMENTS: The department **OPPOSES** allowing subsistence, personal use, or sport Dungeness crab fishing prior to or during a Tanner crab or king crab fishery by commercial Tanner crab and king crab fishermen. There is no definition in regulation defining the size of a subsistence, personal use, or sport Dungeness crab pot. Without this definition Dungeness crab can currently be fished with pots large enough to catch both king and Tanner crab.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 200 – 5 AAC 32.150. Closed waters in Registration Area A.; 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of Southeast Alaska Area.

PROPOSED BY: Klawock Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would establish an area closed to the taking of commercial and nonresident sport caught Dungeness crab in the waters surrounding Klawock; east of Entrance Point at 55° 31.20' N. lat., 133° 07.63' W. long. to a point in Shinaku Inlet at 55° 34.72' N. lat., 133° 13.38' W. long. (Figure 200-1).

WHAT ARE THE CURRENT REGULATIONS? The commercial Dungeness crab fishery in this area is open during the summer (June 15–August 15) and fall/winter (October 1–February 28) seasons. Season length is determined based on harvest projection thresholds that stipulate a full, reduced, or closed season. The sport fishery for Dungeness crab is open in all Southeast Alaska waters South of Cape Fairweather with a bag and possession limit of 3 male Dungeness crab, minimum size of 6½ inches.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This area would be closed to the nonresident sport and commercial Dungeness crab fisheries but remain open to resident sport fishing, personal use, and subsistence Dungeness crab fisheries. Closing additional areas to commercial fishing for Dungeness crab will result in increased density of gear in the areas that remain open, potentially increased gear loss, and increased potential for localized depletion.

BACKGROUND: Current regulations specify 17 areas closed to commercial harvest of Dungeness crab in Southeast Alaska. The proposed area is part of statistical areas 103-60, Big Salt/Trocadero Bay, and 103-65, Klawock (Figure 200-1). While confidentiality concerns (fewer than three permits fished) make individual season's harvests unreportable, the average combined harvest for statistical areas 103-60 and 103-65 over the past ten full seasons is 5,294 pounds per season.

According to regulation 5 AAC 02.108 *Customary and traditional subsistence use of shellfish stocks* (3), the proposed area is within an area that the board has found there are customary and traditional uses of Dungeness crab. The board has not determined an amount reasonably necessary for subsistence (ANS) for shellfish in Southeast Alaska. In 1998, the department conducted a household harvest survey in Klawock for the 1997 study year. The survey estimated that the mean noncommercial harvest of Dungeness crab per household was 17 pounds (6 pounds per person).

Sport fishing regulations for Dungeness crab in Southeast were established in 1989 with a bag and possession limit of five male Dungeness/Tanner crab in combination and a minimum size limit of 6½ inches for Dungeness crab. In 2009, the bag and possession limit for nonresidents was lowered to three male Dungeness/Tanner crab in combination. In 2012, the number of ring nets that could be fished in the sport Dungeness crab fishery was limited to 10 per person and 20 per vessel. While the Southeast Dungeness crab sport fishery is open to both resident and nonresident anglers there is no benefit for a resident angler to fish under sport fishing regulations since all Alaska residents qualify to fish under the more liberal personal use or subsistence regulations.

From 2010 to 2019, the statewide harvest survey estimates of Dungeness crab harvest for western Prince of Wales Island (POW), which includes Craig and Klawock, averaged 3,994 crab (Table 200-1). The proportion of harvest by nonresidents in this area cannot be determined due to

insufficient response rates in the statewide harvest survey. However, the nonresident harvest of Dungeness crab has averaged 51% of the statewide harvest survey estimates for the entire POW area during the same period (Table 200-1).

There is currently no annual stock assessment survey in place for Dungeness crab in Southeast.

DEPARTMENT COMMENTS: The department **OPPOSES** closing areas to commercial fishing for Dungeness crab where there is no conservation concern and is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

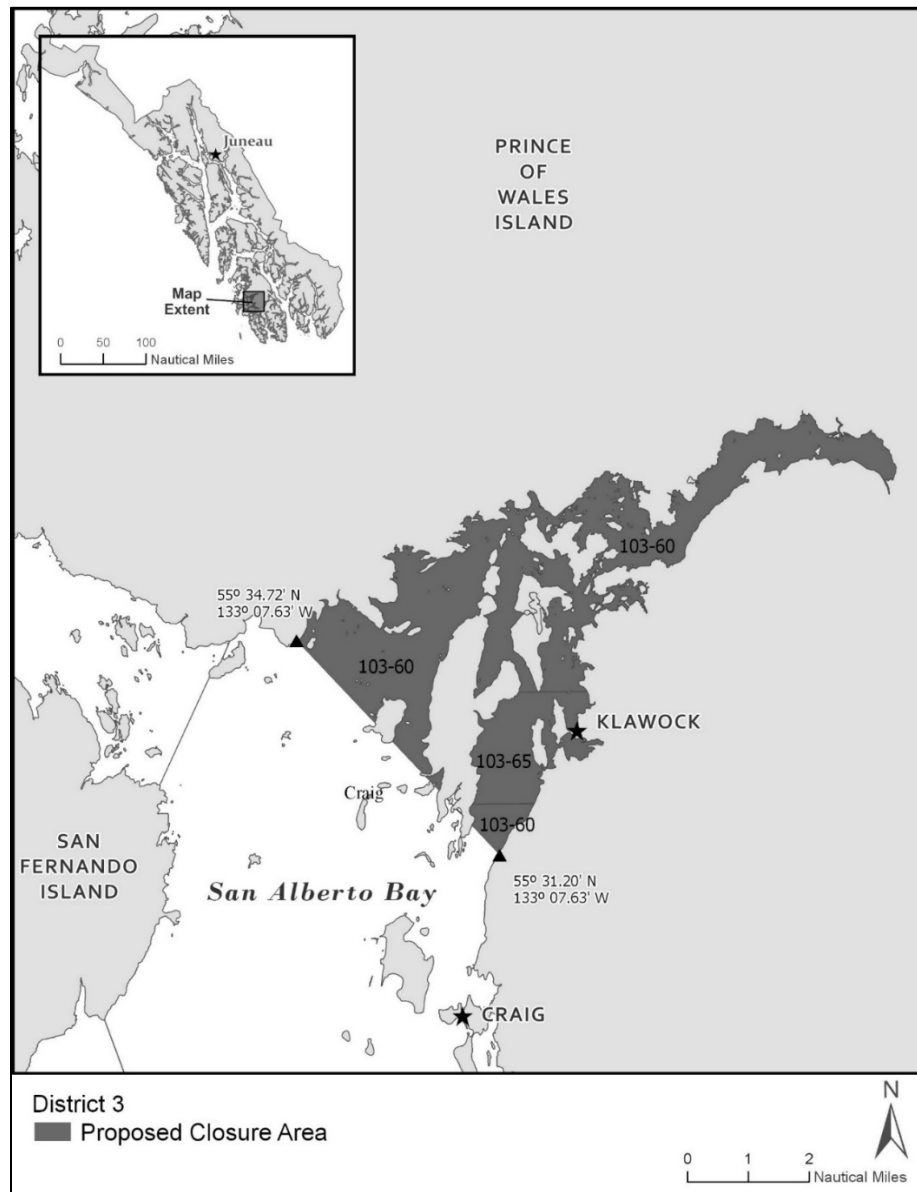


Figure 200-1.—Area proposed for closure to nonresident sport and commercial fishing for Dungeness crab.

Table 200-1.—Statewide harvest survey estimates of Dungeness crab by residency harvested in the sport and personal use Dungeness crab fisheries of Prince of Wales Management Area, 2010–2019.

Year	Prince of Wales		West Prince of Wales*	
	Nonresident	Resident	Total	Total Harvest
2010	4,310	6,402	10,712	3,675
2011	5,001	7,047	12,048	3,950
2012	7,160	4,230	11,390	4,089
2013	5,530	3,595	9,125	3,449
2014	8,250	8,850	17,100	3,255
2015	6,494	9,917	16,411	8,575
2016	6,943	5,727	12,670	4,682
2017	4,199	5,772	9,971	4,755
2018	3,393	2,316	5,709	1,168
2019	7,437	2,943	10,380	2,339
10-year average (2010-2019)	5,698	5,984	11,551	3,994
Percent of recreational harvest	51%	49%		

* Residency data not available for West Prince of Wales.

PROPOSAL 201 – 5 AAC 32.150. Closed waters in Registration Area A.

PROPOSED BY: Sitka Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would expand the boundaries of the Sitka Sound Special Use Area described in 5 AAC 32.150(10) on a seasonal basis to Nismeni point on Baranof Island (57° 33.45' N. lat., 135° 24.52' W. long.) and 57° 31.18' N. lat., 135° 34.41' W. long. and close commercial Dungeness crab fishing within the seasonally expanded boundaries from 8:00 a.m. June 15 through 11:59 p.m. August 15 each year (Figure 201-1).

WHAT ARE THE CURRENT REGULATIONS? Current regulations list 17 areas closed to the commercial harvest of Dungeness crab in Southeast Alaska. Regulation 5 AAC 32.150(10) defines the waters of District 13-B that are in the Sitka Sound Special Use Area as being closed to commercial harvest of Dungeness crab from December 1 through September 30 (Figure 201-1).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would prohibit commercial fishing for Dungeness crab from June 15 through August 15 in an area north of the existing boundary of the Sitka Sound Special Use Area (Figure 201-1). Commercial permit holders fishing in the proposed new area would no longer be able to fish in the proposed expansion during the summer season (June 15–August 15). Regulations in the noncommercial fisheries would be unchanged. Closing additional areas to commercial fishing for Dungeness crab will result in increased density of gear in the areas that remain open, potentially increased gear loss, and increased potential for localized depletion.

BACKGROUND: The new area with proposed restrictions for the commercial Dungeness crab fishery is the remainder of statistical areas 113-63 (a small portion of 113-63 already falls within the Sitka Sound Special Use Area), all of statistical areas 113-64 and 113-65, and a portion of statistical area 113-55. The average combined harvest for statistical areas 113-63, 113-64, 113-65, and 113-55 over the past ten full seasons is 46,407 pounds by 12 commercial fishery permit holders (Table 201-1). Of the total harvest for the past 10 seasons, 76% occurred from June 15–August 15 (Table 201-2).

Regulation 5 AAC 02.108 *Customary and traditional subsistence use of shellfish stocks* (11) describes that the proposed area is within an area the board has determined there are customary and traditional uses of Dungeness crab. The board has not determined an amount reasonably necessary for subsistence (ANS) for shellfish in Southeast Alaska. The department sampled households in Sitka for noncommercial harvest information for the 2013 calendar year. The survey found the mean household harvest for the year was 7.5 pounds of Dungeness crab (2.8 pounds per person). The area of the proposed extension was used for noncommercial Dungeness crab harvest during 2013 (Figure 201-2), however there is no additional information available on the magnitude of the noncommercial harvest in these statistical areas.

DEPARTMENT COMMENTS: The department **OPPOSES** closing areas to commercial fishing for Dungeness crab where there is no conservation concern and is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 201-1.—Commercial harvest and effort of Dungeness crab in Statistical Areas 113-63, 113-64, 113-65, and 113-55 for the last ten seasons.

Season	Harvest (lb)	Permits	Landings
2010/11	26,796	9	49
2011/12	23,593	11	55
2012/13	37,662	9	61
2013/14	61,693	11	88
2014/15	68,528	13	126
2015/16	30,542	13	81
2016/17	11,533	14	52
2017/18	55,629	15	77
2018/19	90,832	16	116
2019/20	57,259	13	88
Average	46,407	12	79

Table 201-2.—Commercial harvest and effort of Dungeness crab during the months of June, July, and August in Statistical Areas 113-63, 113-64, 113-65, and 113-55 for the last ten seasons.

Season	Harvest (lb)	Permits	Landings
2010/11	23,546	9	41
2011/12	19,543	8	43
2012/13	25,046	7	40
2013/14	46,759	11	63
2014/15	59,577	11	97
2015/16	28,085	12	69
2016/17	9,622	13	43
2017/18	36,075	13	55
2018/19	70,349	13	85
2019/20	31,912	10	56
Average	35,051	11	59

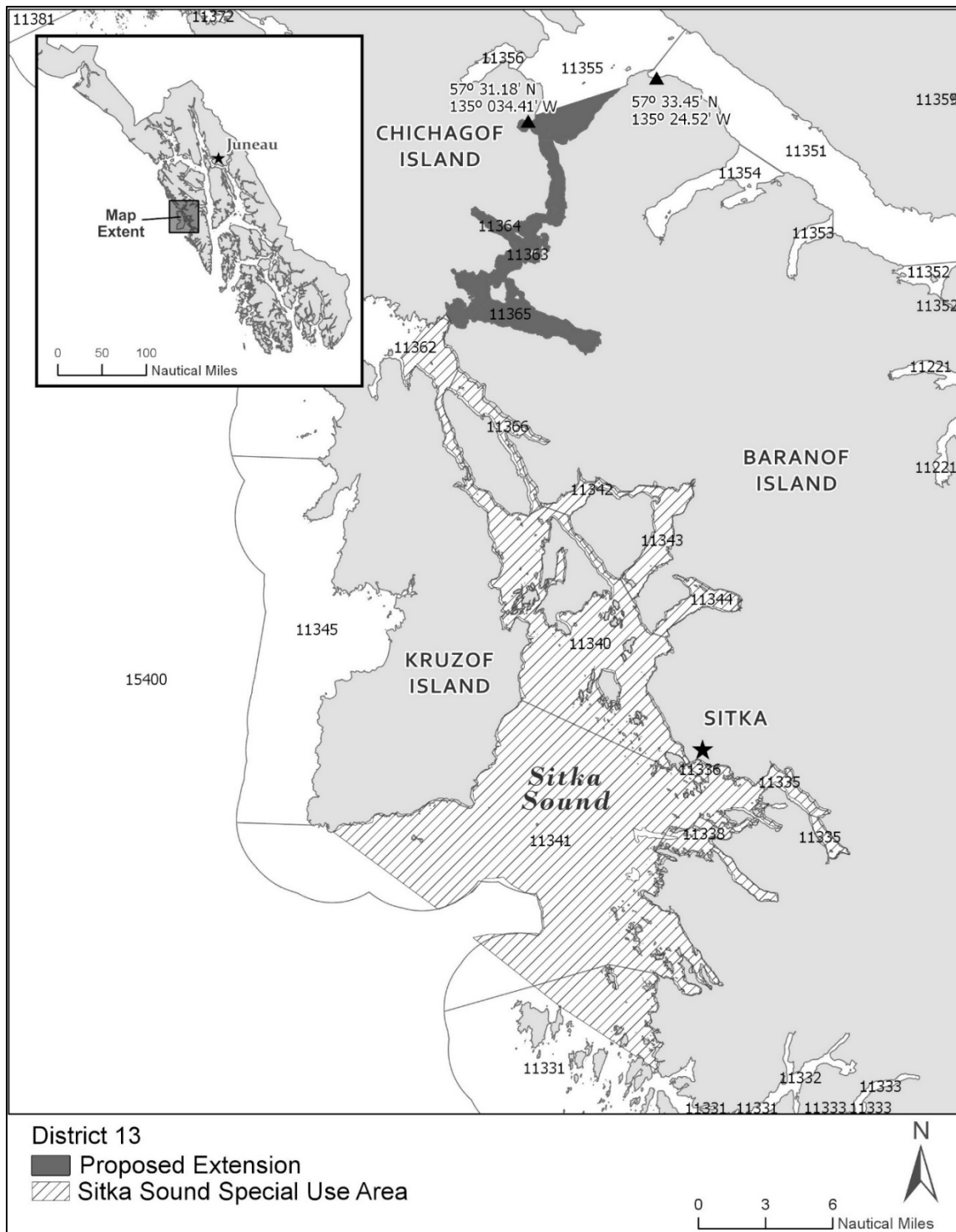


Figure 201-1.—Sitka Sound Special Use Area and proposed area extension for summer seasonal closure of Dungeness crab commercial fishing.

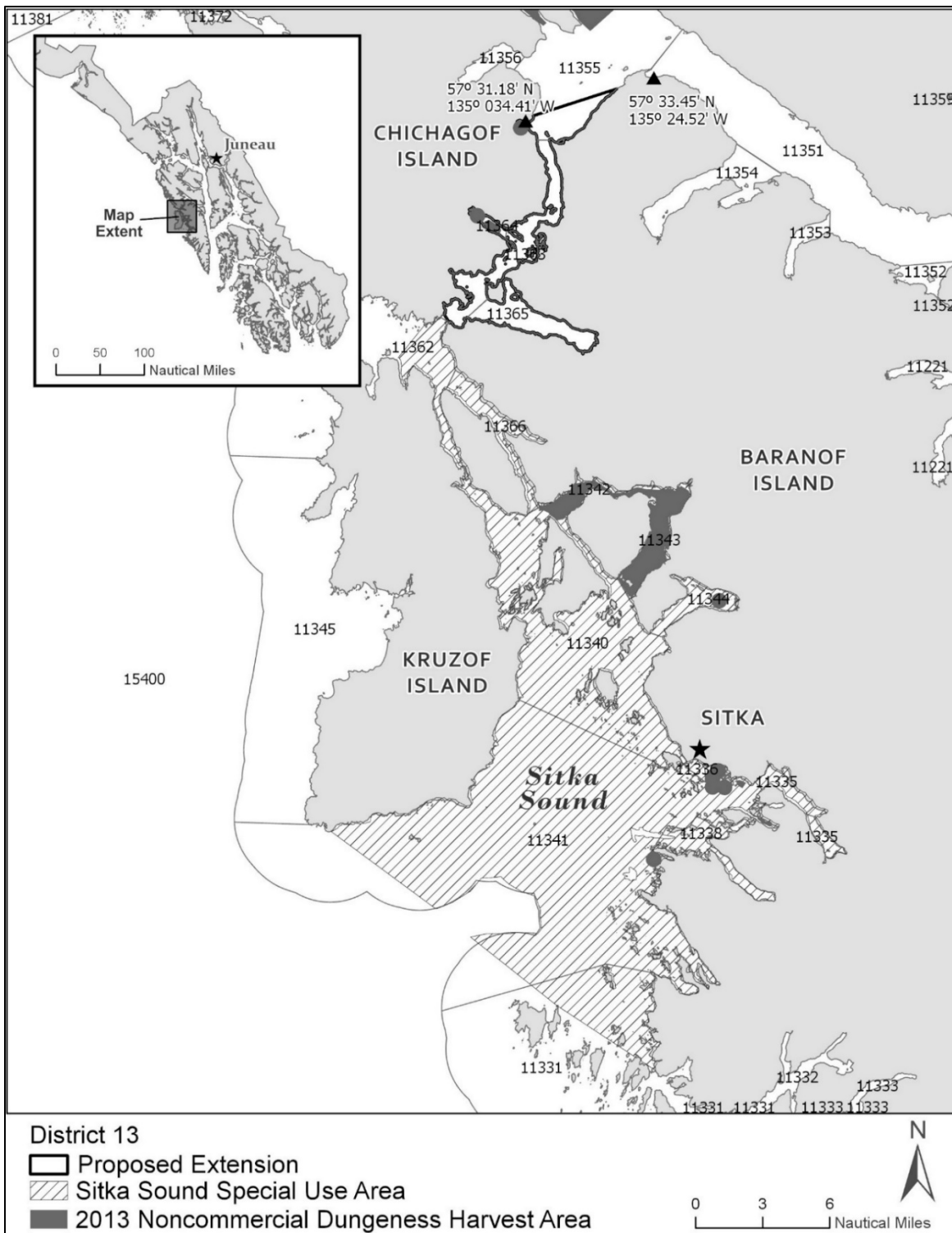


Figure 201-2.—Sitka Sound Special Use Area, area proposed for seasonal expansion to commercial Dungeness fishing, and 2013 noncommercial harvest areas for Dungeness crab.

PROPOSAL 202 – 5 AAC 32.150. Closed waters in Registration Area A.

PROPOSED BY: Peter Roddy.

WHAT WOULD THE PROPOSAL DO? This would reduce the size of the area closed to commercial Dungeness crab fishing around Tenakee Inlet to the waters of Tenakee Inlet north of 57° 46' N. lat. and between 135° 06.50' W. long. and 135° 18.18' W. long. (Figure 202-1).

WHAT ARE THE CURRENT REGULATIONS? Regulation 5 AAC 32.150(2) defines the waters of Tenakee Inlet west of Corner Bay Point at 135° 06.50' W. long. and east of the Crab Bay log transfer facility at 135° 18.18' W. long as closed to the commercial harvest of Dungeness crab.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A portion of the current area closed to the commercial Dungeness crab fishery in Tenakee Inlet would be reopened.

BACKGROUND: Currently 17 areas are closed to commercial harvest of Dungeness crab in Southeast Alaska. The proposed area to be reopened to commercial Dungeness is part of Tenakee Inlet, including portions of statistical areas 112-42 and 112-45 (Figure 202-1).

The portion of Tenakee Inlet that is currently closed to commercial Dungeness crab fishing was open from July 1 to February 28 prior to the 1984 board meeting. After 1984, these areas were closed year-round to the commercial Dungeness crab fishery due to user conflicts. Prior to the 1984/85 season, the combined average harvest in Statistical Areas 112-42 and 112-45 within Tenakee Inlet from 1974/75 to 1983/84 was 43,930 pounds by 16 permit holders. Most of the statistical area 112-45 does not fall within the area currently closed to commercial Dungeness crab fishing. Average combined harvest from 2010/11 to 2019/20 in statistical area 112-45 was 28,950 pounds by four permit holders annually (Table 202-1).

There is no customary and traditional use finding for Dungeness crab in the proposed area. Recent information on the magnitude of noncommercial harvest in the proposed area is unavailable.

DEPARTMENT COMMENTS: The department **SUPPORTS** allowing commercial fishing opportunity for Dungeness crab in areas where there is no conservation concern and is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 202-1.-Commercial harvest and effort of Dungeness crab in statistical area 112-45 for the last ten seasons.

Season	Harvest	Permits	Landings
2010/11	12,806	5	27
2011/12	45,843	4	22
2012/13	*	*	*
2013/14	*	*	*
2014/15	23,677	3	19
2015/16	*	*	*
2016/17	43,159	6	31
2017/18	30,453	4	19
2018/19	28,491	3	29
2019/20	50,747	6	47
Averages	28,950	4	24

* Confidential because fewer than 3 permits fished.

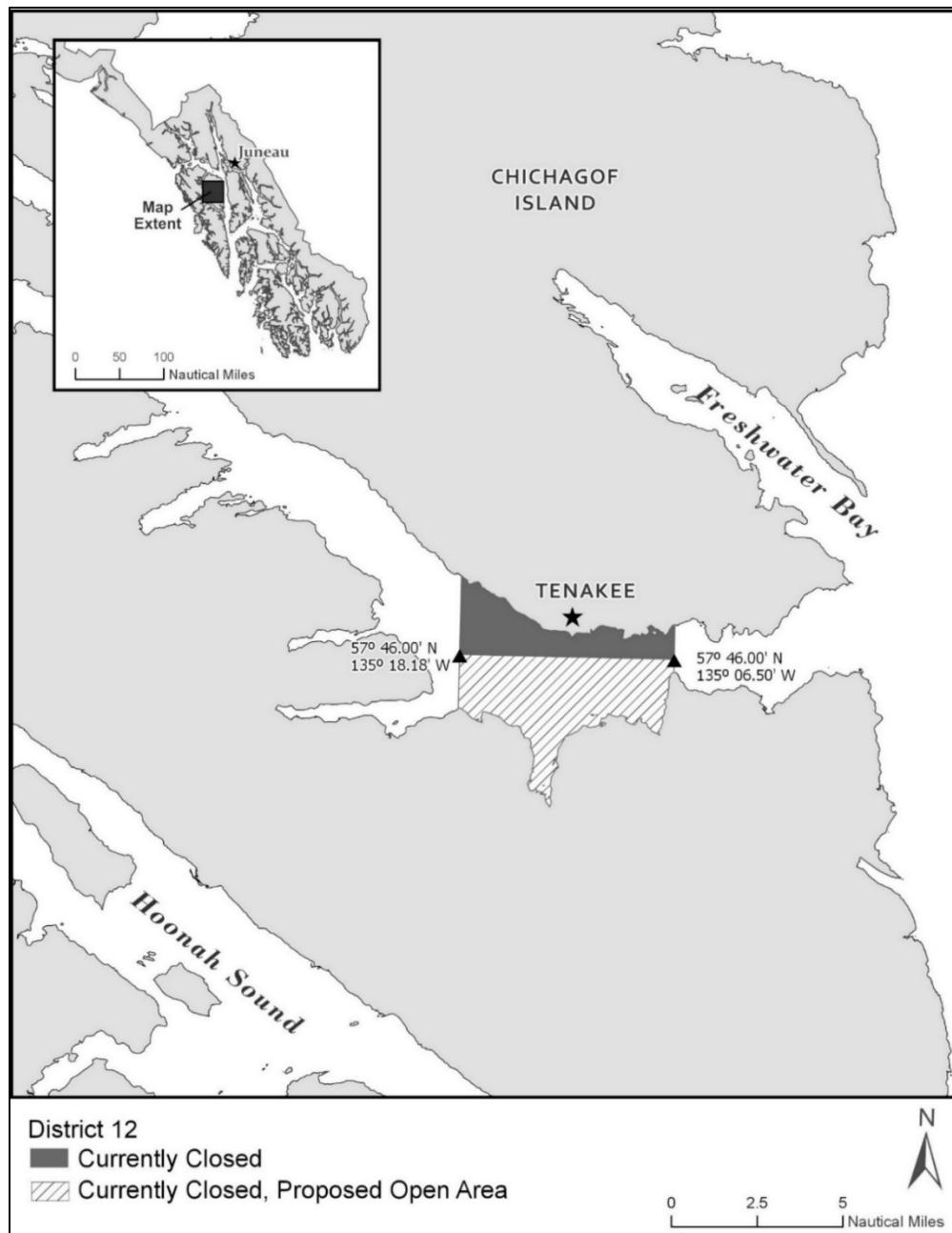


Figure 202-1.—Area proposed to be reopened to commercial fishing for Dungeness crab in Tenakee Inlet.

PROPOSAL 203 – 5 AAC 32.150 Closed waters in Registration Area A.

PROPOSED BY: Peter Roddy.

WHAT WOULD THE PROPOSAL DO? This would repeal the area closed to commercial Dungeness crab fishing in Port Althorp.

WHAT ARE THE CURRENT REGULATIONS? Regulation 5 AAC 32.150(3) defines the waters of Port Althorp enclosed by a line from Point Lucan to 58° 09.71' N. lat., 136° 19.67' W. long as closed to the commercial harvest of Dungeness crab.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Port Althorp would be reopened to the commercial Dungeness crab fishery.

BACKGROUND:

There are currently 17 areas closed to commercial harvest of Dungeness crab in Southeast Alaska. The area proposed to be reopened to commercial Dungeness crab fishing is Port Althorp, statistical area 114-50 (Figure 203-1).

Port Althorp was closed to commercial Dungeness crab fishing in 1984 due to user conflicts. Prior to the 1984/85 season, the average harvest in Statistical Area 114-50, Port Althorp, from 1974/75 to 1983/84 was 12,877 pounds. The number of permit holders is confidential and cannot be reported because fewer than three participated in the fishery at that time.

There is no customary and traditional use finding for Dungeness crab within the closed area of Port Althorp, and no current information available on the magnitude of noncommercial harvest in the proposed area. The most recent information from the department's last household survey for Port Althorp's nearby community of Elfin Cove is from 1987. The results from that survey estimated the total personal use harvest of Dungeness crab at 299 pounds, approximately 4.99 pounds per capita. The estimated community population at that time was roughly 60 residents living in 19 households; thirteen households were surveyed for the study year.

DEPARTMENT COMMENTS: The department **SUPPORTS** allowing commercial fishing opportunity for Dungeness crab in areas where there is no conservation concern and is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

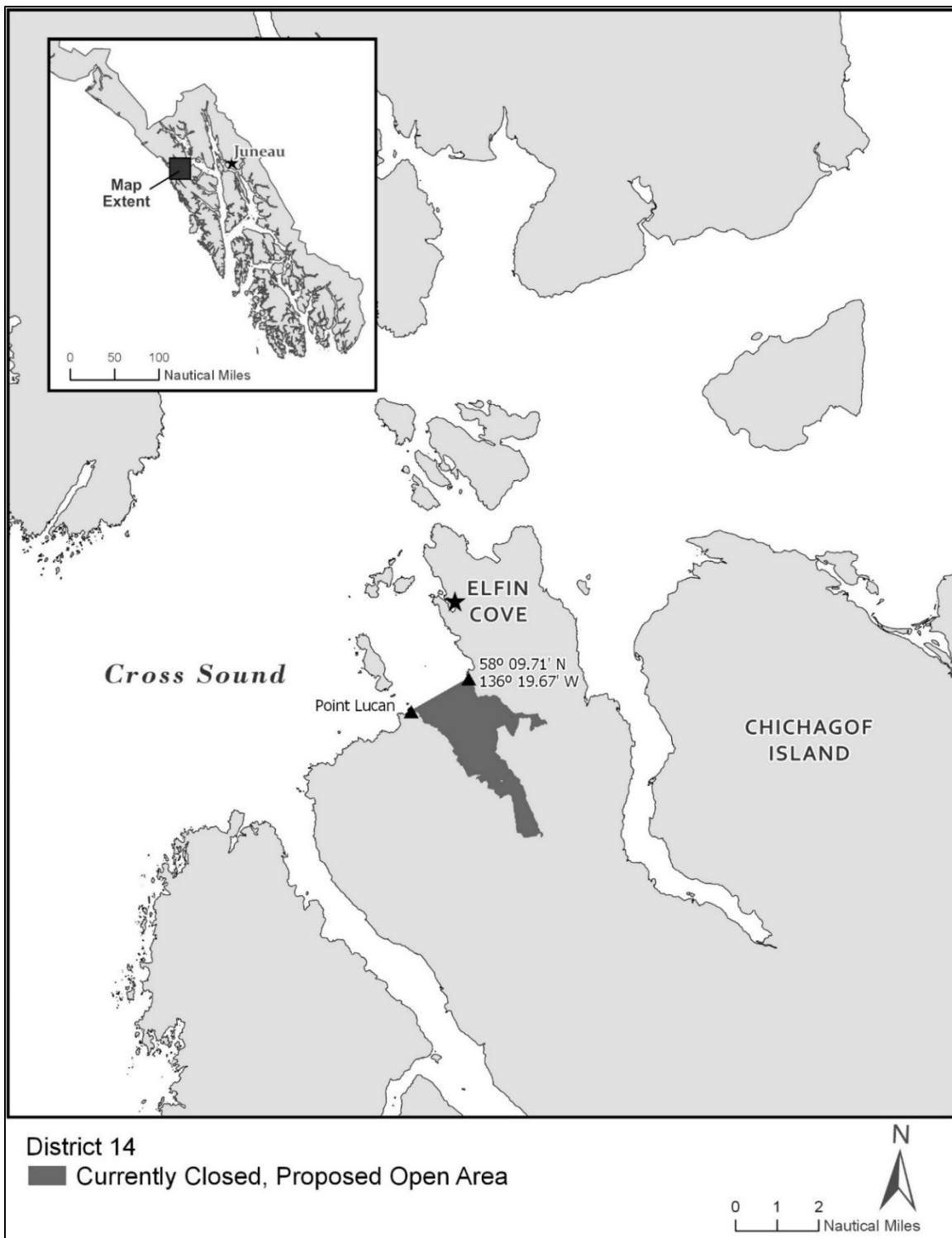


Figure 203-1.—Area proposed for reopening to commercial fishing for Dungeness crab.

PROPOSAL 204 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Close the sport Dungeness crab fishery in Coffman Cove.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery for Dungeness crab is open year-round with a bag and possession limit of three male Tanner and Dungeness crab in combination, with a minimum size limit of a 6½ inch carapace width for Dungeness crab. While taking Dungeness crab, four crab pots or 10 rings per person may be used with a maximum of 10 crab pots or 20 rings per vessel.

A captain and crew of a charter vessel may not deploy, set, or retrieve their own shellfish gear while the vessel is chartered. Guided anglers may deploy and set gear from a charter vessel as long as they personally set and retrieve the gear and the buoy is marked with their name, home address and Alaska Department of Motor Vehicles registration number of the vessel used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This action would close sport fishing for Dungeness crab in Coffman Cove and create greater disparity between sport and personal use regulations. It would further complicate regulations by adding an area-specific regulation as an exception to regionwide regulations.

BACKGROUND: Sport fishing regulations for Dungeness crab in SEAK were established in 1989 with a bag and possession limit of five male Dungeness/Tanner crab in combination and a minimum size limit of 6½ inches for Dungeness crab. In 2009, the bag and possession limit was lowered to three male Dungeness/Tanner crab in combination. In 2012, the number of ring nets which could be fished in the sport Dungeness crab fishery was limited to 10 per person and 20 per vessel.

From 2010 to 2019, the statewide harvest survey estimates of Dungeness crab harvest for eastern POW, which includes Coffman Cove, averaged 7,557 crab (Table 204-1). The proportion of harvest by nonresidents in this area cannot be determined due to insufficient responses rates in the statewide harvest survey. However, the nonresident harvest of Dungeness crab has averaged 51% of the statewide harvest survey estimates for the entire POW area during the same period (Table 204-1).

There is no customary and traditional use finding for Dungeness crab for the proposed closed area.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department does not have any biological concerns for the Dungeness crab resource in this area. Adoption may provide personal use users with more opportunity to harvest crab; however, the department is concerned that it would further complicate shellfish regulations in SEAK.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 204-1.—Statewide harvest survey estimates of Dungeness crab by residency harvested in the sport and personal use Dungeness crab fisheries of Prince of Wales Management Area, 2010–2019.

Year	Prince of Wales			East Prince of Wales*
	Nonresident	Resident	Total	Total Harvest
2010	4,310	6,402	10,712	7,037
2011	5,001	7,047	12,048	8,098
2012	7,160	4,230	11,390	7,301
2013	5,530	3,595	9,125	5,676
2014	8,250	8,850	17,100	13,845
2015	6,494	9,917	16,411	7,836
2016	6,943	5,727	12,670	7,988
2017	4,199	5,772	9,971	5,216
2018	3,393	2,316	5,709	4,541
2019	7,437	2,943	10,380	8,036
10-year average (2010–2019)	5,872	5,680	11,552	7,557
Percent of recreational harvest	51%	49%		

* Residency data not available for East Prince of Wales.

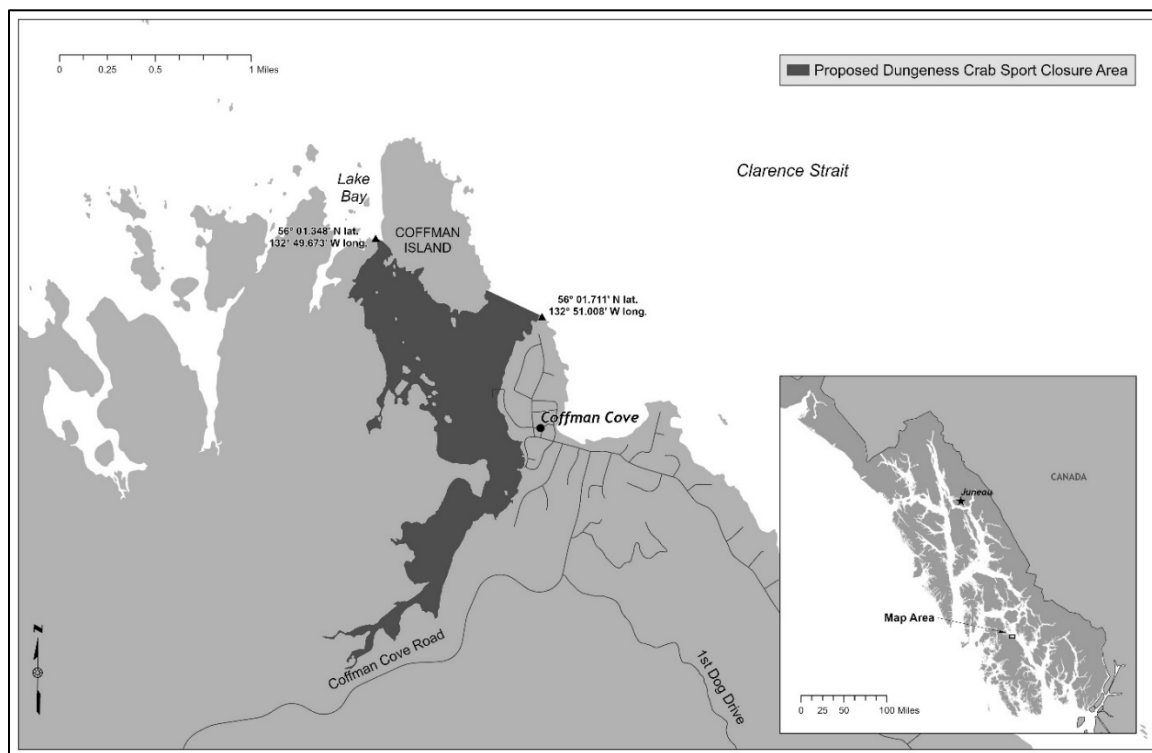


Figure 204-1.—Map of proposed sport fishing closure for Dungeness crab at Coffman Cove.

PROPOSAL 205 – 5 AAC 32.150. Closed waters in Registration Area A.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would establish an area closed to the commercial taking of Dungeness crab in the waters of Coffman Cove south and east of a line extending from a point at 56° 0.69' N. lat., 132° 50.13' W. long. to a point located at 56° 0.80' N lat., 132° 49.93' W. long. (Figure 205-1).

WHAT ARE THE CURRENT REGULATIONS? The commercial Dungeness crab fishery in this area is open during the summer (June 15–August 15) and fall/winter (October 1–November 30) seasons. Season length is determined based on harvest projection thresholds that stipulate a full, reduced, or closed season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would establish a new area that would be closed to the commercial Dungeness crab fishery but remain open to personal use and sport Dungeness crab fisheries. Closing additional areas to commercial fishing for Dungeness crab will result in increased density of gear in the areas that remain open, potentially increased gear loss, and increased potential for localized depletion.

BACKGROUND: Current regulations specify 17 areas closed to commercial harvest of Dungeness crab in Southeast Alaska. The proposed area is within statistical area 106-30 (Figure 205-1). The majority of statistical area 106-30 does not fall within the area proposed for closure to commercial Dungeness crab fishing. Average combined harvest from 2010/11 to 2019/20 in statistical area 106-30 was 36,769 pounds by 6 permit holders annually (Table 205-1).

There is no customary and traditional use finding for Dungeness crab for the proposed closed area. There is no recent information about the personal use of Dungeness crab in the area. In 1999 the department conducted household harvest surveys in Coffman Cove for the 1998/1999 study year. Survey results show that 98% of Coffman Cove households used Dungeness crab, 64% of households fished for Dungeness crab, and the mean noncommercial harvest per household was estimated at 50 pounds (17.5 pounds per person). There is no additional information available on the magnitude of the noncommercial harvest in this statistical area.

DEPARTMENT COMMENTS: The department **OPPOSES** closing areas to commercial fishing for Dungeness crab where there is no conservation concern and is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department

Table 205-1.—Commercial harvest and effort of Dungeness crab in statistical area 106-30 for the last ten seasons.

Season	Harvest	Permits	Landings
2010/11	45,315	4	20
2011/12	52,911	3	17
2012/13	42,781	8	23
2013/14	32,019	7	19
2014/15	56,070	8	38
2015/16	35,092	11	38
2016/17	21,629	6	18
2017/18	13,045	5	12
2018/19	26,463	5	17
2019/20	42,361	4	20
Averages	36,769	6	22

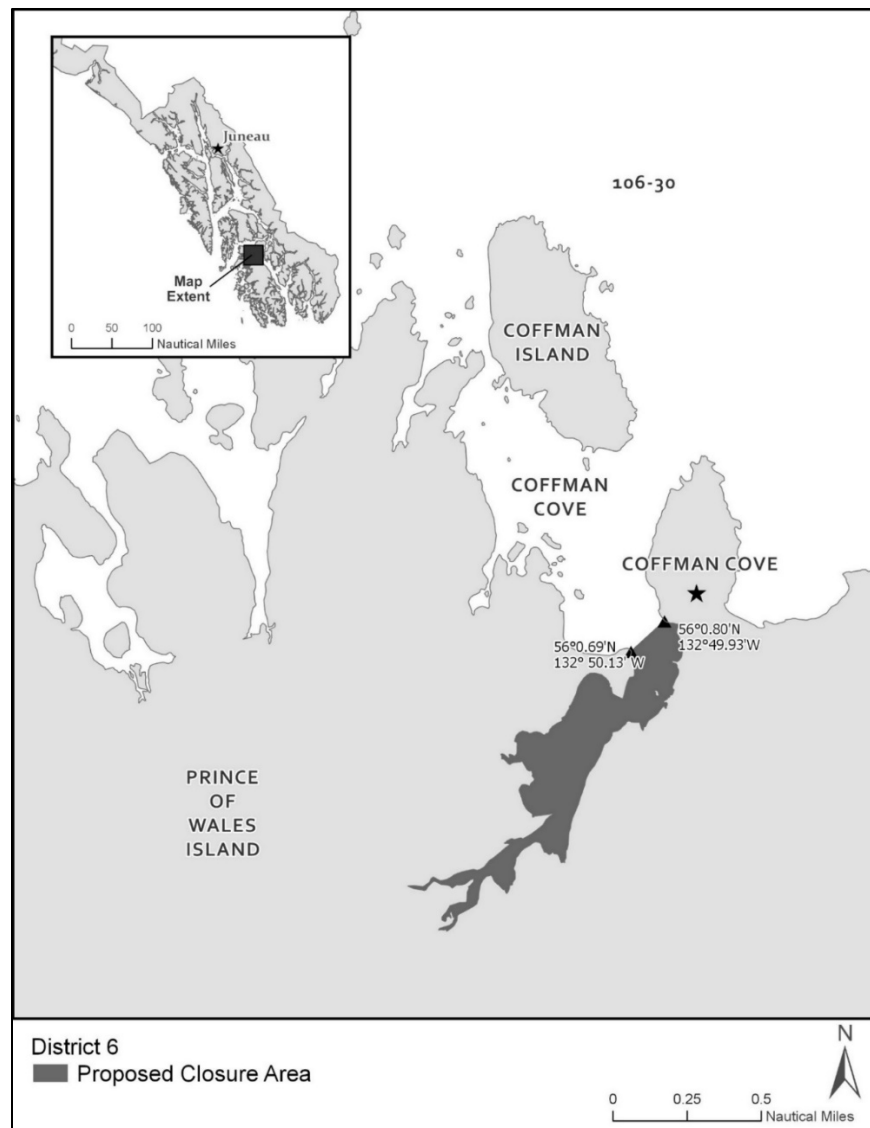


Figure 205-1.—Area proposed for closure to commercial fishing for Dungeness crab.

PROPOSAL 206 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits, and methods and means for the salt waters of the Southeast Alaska Area.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Close the sport Dungeness crab fishery in Whale Pass.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery for Dungeness crab is open year-round with a bag and possession limit of three male Tanner and Dungeness crab in combination, with a minimum size limit of a 6½ inch carapace width for Dungeness crab. While taking Dungeness crab, four crab pots or 10 rings per person may be used with a maximum of 10 crab pots or 20 rings per vessel.

A captain and crew of a charter vessel may not deploy, set or retrieve their own shellfish gear while the vessel is chartered. Guided anglers may deploy and set gear from a charter vessel as long as they personally set and retrieve the gear and the buoy is marked with their name, home address and Alaska Department of Motor Vehicles registration number of the vessel used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This action would close sport fishing for Dungeness crab in Whale Pass and create a greater disparity between sport and personal use regulations. It would further complicate regulations by adding an area-specific regulation as an exception to regionwide regulations. This proposal has the potential to reduce user conflicts.

BACKGROUND: According to regulation 5 AAC 02.108. *Customary and traditional subsistence use of shellfish stocks* (5), the proposed area is within an area that the board has found customary and traditional uses of shellfish (except shrimp, king crab, and Tanner crab). The board has not made any ANS findings for shellfish in SEAK.

Sport fishing regulations for Dungeness crab in SEAK were established in 1989 with a bag and possession limit of five male Dungeness/Tanner crab in combination and a minimum size limit of 6½ inches for Dungeness crab. In 2009, the bag and possession limit was lowered to three male Dungeness/Tanner crab in combination. In 2012, the number of ring nets which could be fished in the sport Dungeness crab fishery was limited to 10 per person and 20 per vessel.

From 2010 to 2019, the statewide harvest survey estimates of Dungeness crab harvest for eastern POW, which includes Whale Pass, averaged 7,557 crab (Table 206-1). The proportion of harvest by nonresidents in this area cannot be determined due to insufficient responses rates in the statewide harvest survey. However, the nonresident harvest of Dungeness crab has averaged 51% of the statewide harvest survey estimates for the entire POW area during the same period (Table 206-1).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department does not have any biological concerns for the Dungeness crab resource in this area. Adoption may provide a subsistence user with more opportunity to harvest crab; however, the department is concerned that it would further complicate shellfish regulations in SEAK.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 206-1.—Statewide harvest survey estimates of Dungeness crab by residency harvested in the sport and personal use Dungeness crab fisheries of Prince of Wales Management Area, 2010-2019.

Year	Prince of Wales			East Prince of Wales*
	Nonresident	Resident	Total	Total Harvest
2010	4,310	6,402	10,712	7,037
2011	5,001	7,047	12,048	8,098
2012	7,160	4,230	11,390	7,301
2013	5,530	3,595	9,125	5,676
2014	8,250	8,850	17,100	13,845
2015	6,494	9,917	16,411	7,836
2016	6,943	5,727	12,670	7,988
2017	4,199	5,772	9,971	5,216
2018	3,393	2,316	5,709	4,541
2019	7,437	2,943	10,380	8,036
10-year average (2010–2019)	5,872	5,680	11,552	7,557
Percent of recreational harvest	51%	49%		

* Residency data not available for East Prince of Wales.

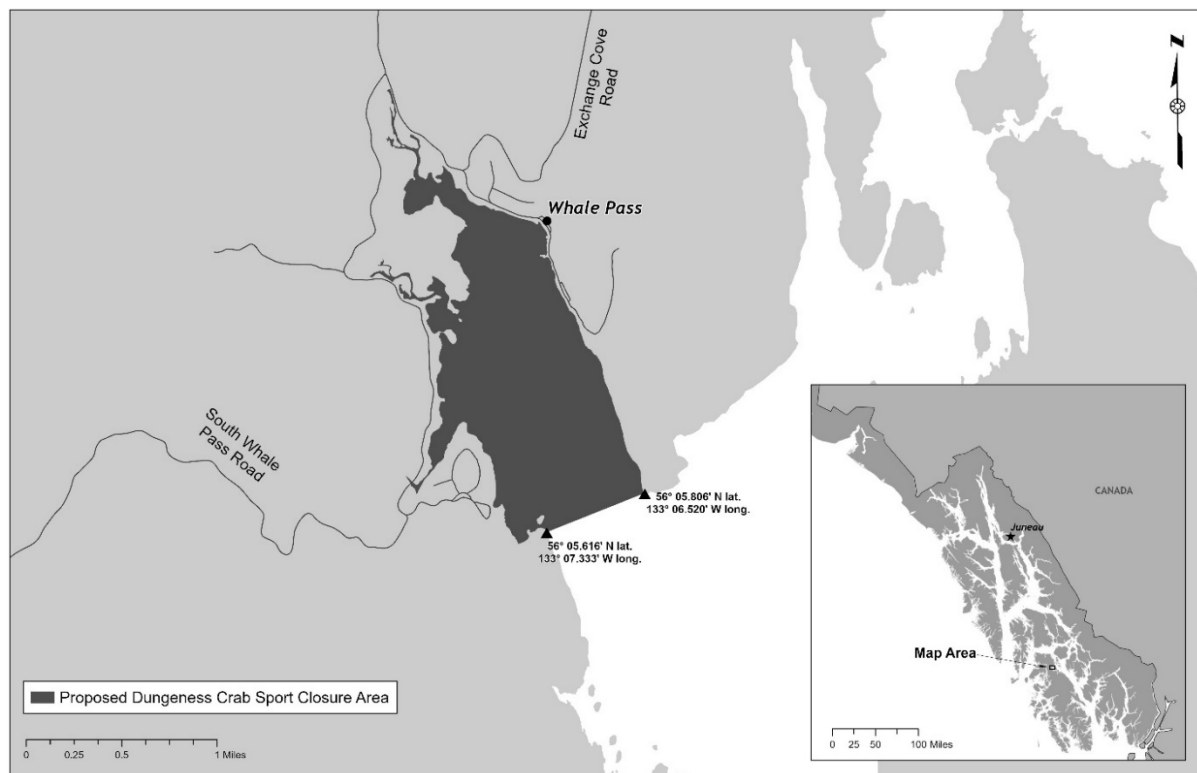


Figure 206-1.—Map of proposed sport fishing closure for Dungeness crab at Whale Pass.

PROPOSAL 207 – 5 AAC 32.150. Closed waters in Registration Area A.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would establish an area closed to the commercial taking of Dungeness crab in the waters of Whale Pass north and west of a line extending from a point at 56° 05.81' N. lat., 133° 06.52' W. long. to a point located at 56° 05.62' N lat., 133° 07.33' W. long. (Figure 207-1).

WHAT ARE THE CURRENT REGULATIONS? The commercial Dungeness crab fishery in this area is open only in the fall season (October 1–November 30). Season length is determined based on harvest projection thresholds that stipulate a full, reduced, or closed season. Current regulations list 17 areas closed to the commercial harvest of Dungeness crab in Southeast, including 106-35 which is closed during the summer season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would establish a new area that would be closed to the commercial Dungeness crab fishery but remain open to personal use, sport, and subsistence Dungeness crab fisheries. Currently this area is only open during the fall (October 1–November 30) commercial Dungeness crab fishery season. Closing additional areas to commercial fishing for Dungeness crab will result in increased density of gear in the areas that remain open, potentially increased gear loss, and increased potential for localized depletion.

BACKGROUND: Prior to the 2003 board meeting, statistical area 106-35 [5 AAC 32.150(15)] was open to the harvest of commercial Dungeness crab for both summer and fall seasons. In 2003, the board adopted a regulation to close this area to commercial Dungeness crab harvest; however, at the 2009 board meeting this regulation was repealed as a closed area and amended to remain open to commercial fishing during the fall season only [5 AAC 32.110(2)]. At the 2015 board meeting a proposal to close this area to commercial Dungeness crab fishing was voted down.

Current regulations specify 17 areas closed to commercial harvest of Dungeness crab in Southeast Alaska. The proposed area is statistical area 106-35 (Figure 207-1). The harvest for statistical area 106-35 over the past ten full seasons cannot be reported due to the reported activity coming from fewer than three permit holders.

According to regulation 5 AAC 02.108 *Customary and traditional subsistence use of shellfish stocks* (5)(B), the proposed area is within an area that the board has found there are customary and traditional uses of the Dungeness crab stock. The board has not determined an amount reasonably necessary for subsistence (ANS) for shellfish in Southeast Alaska. In 2012, the department sampled households in Whale Pass for noncommercial harvest information; the Dungeness crab harvest areas are displayed in Figure 207-2. The survey found the mean household harvest was 29 pounds of Dungeness crab (14.2 pounds per person). There is no additional information available on the magnitude of the noncommercial harvest in this statistical area.

DEPARTMENT COMMENTS: The department **OPPOSES** closing areas to commercial fishing for Dungeness crab where there is no conservation concern and is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

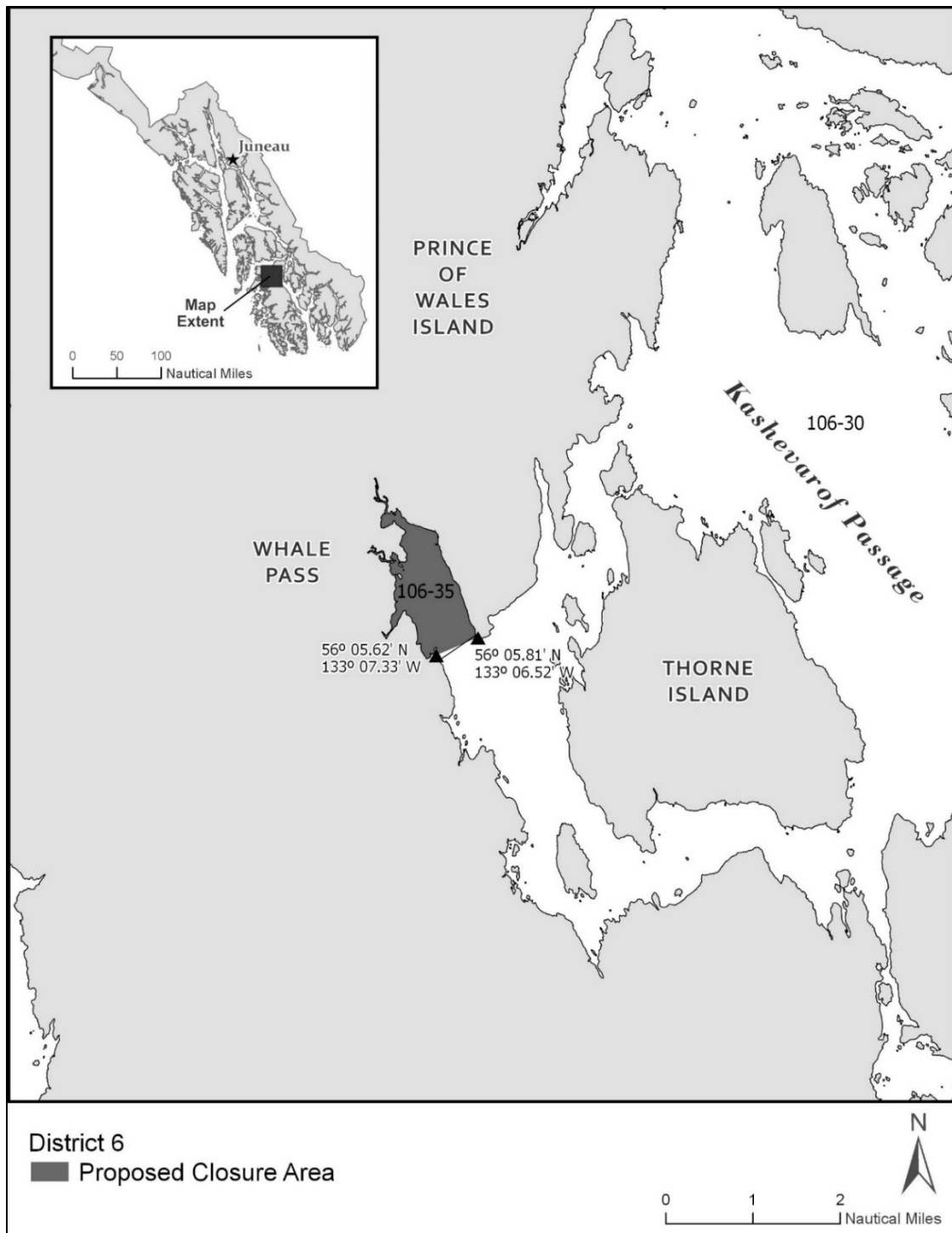


Figure 207-1.—Area proposed for closure to commercial fishing for Dungeness crab.

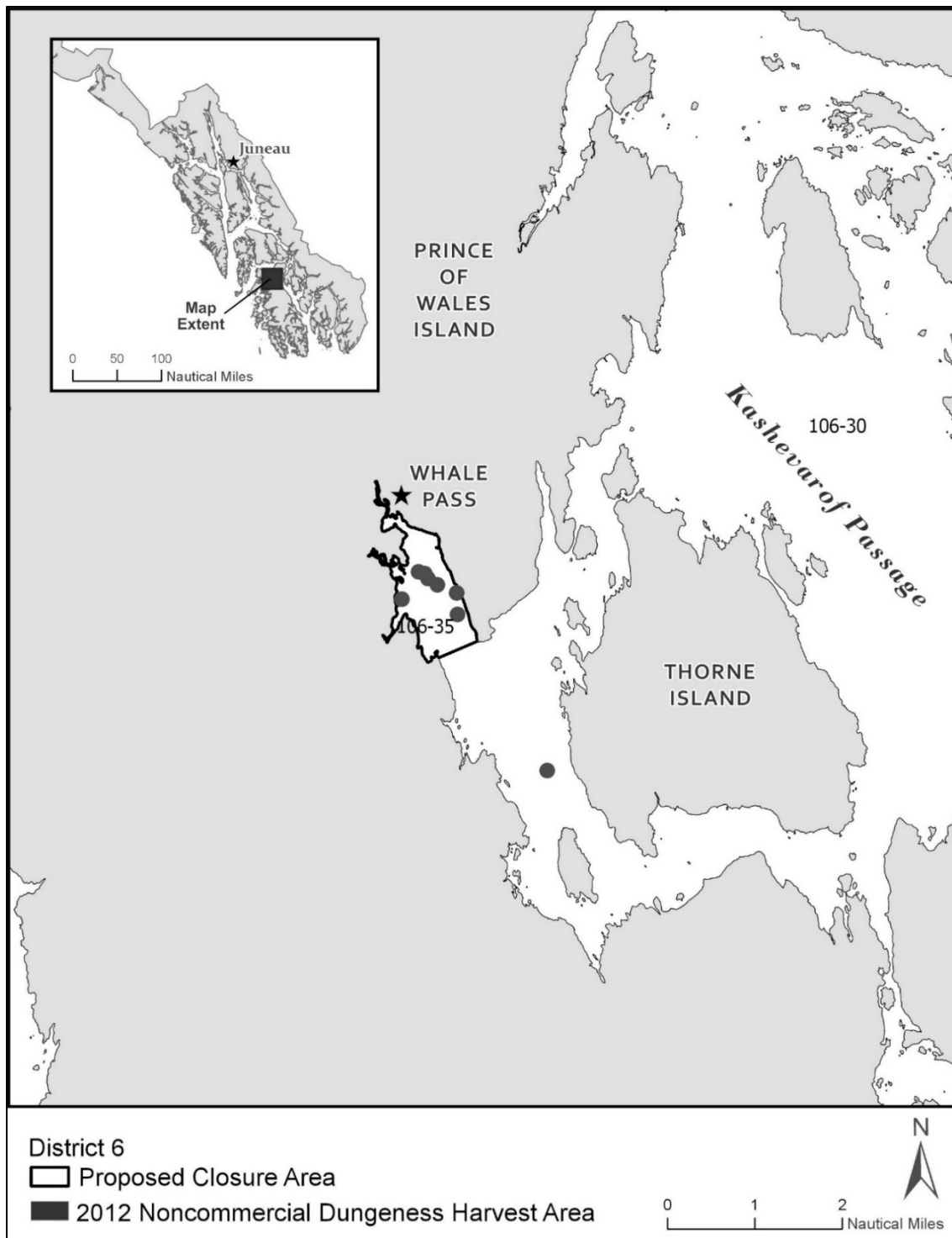


Figure 207-2.—Area proposed for closure to commercial fishing and 2012 noncommercial harvest areas for Dungeness crab.

PROPOSAL 208 – 5 AAC 32.150. Closed waters in Registration Area A.

PROPOSED BY: East Prince of Wales Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would establish an area closed to the commercial taking of Dungeness crab in the waters of Kasaan Bay north of a line that stretches from Adams Point located at 55° 32.92' N. lat., 132° 26.43' W. long. to Mound Point located at 55° 34.51' N. lat., 132° 33.96' W. long. (Figure 208-1).

WHAT ARE THE CURRENT REGULATIONS? The commercial Dungeness crab fishery in this area is open during the fall/winter season (October 1–February 28). Season length is determined based on harvest projection thresholds that stipulate a full, reduced, or closed season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would establish a new area that would be closed to the commercial Dungeness crab fishery but remain open to personal use, sport, and subsistence Dungeness crab fisheries. Closing additional areas to commercial fishing for Dungeness crab will result in increased density of gear in the areas that remain open, potentially increased gear loss, and increased potential for localized depletion.

BACKGROUND: The proposed area is part of statistical area 102-60, Kasaan Bay (Figure 208-1). The average harvest over the past ten full seasons in statistical area 102-60 is 77,140 pounds by eight permit holders (Table 208-1).

Regulation 5 AAC 02.108 *Customary and traditional subsistence use of shellfish stocks* (2) describes that the proposed area is within an area that the board has found there are customary and traditional uses of Dungeness crab. The board has not determined an amount reasonably necessary for subsistence (ANS) for shellfish in Southeast Alaska. In 1998, the department sampled households in the Kasaan area for noncommercial harvest information; the area proposed for closure encompasses the area identified for noncommercial invertebrate harvest (Figure 208-2). The survey found the mean household harvest was 55 pounds of Dungeness crab (22.8 pounds per person). There is no additional information available on the magnitude of the noncommercial harvest in this statistical area.

DEPARTMENT COMMENTS: The department **OPPOSES** closing areas to commercial fishing for Dungeness crab where there is no conservation concern and is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 208-1.—Commercial harvest and effort of Dungeness crab in Statistical Area 102-60 for the last ten full seasons.

Season	Harvest	Permits	Landings
2010/11	85,338	5	15
2011/12	75,343	4	14
2012/13	41,637	6	13
2013/14	81,246	4	14
2014/15	126,314	10	47
2015/16	46,068	6	35
2016/17	74,477	12	37
2017/18	72,609	10	19
2018/19	70,125	11	43
2019/20	98,241	9	46
Average	77,140	8	28

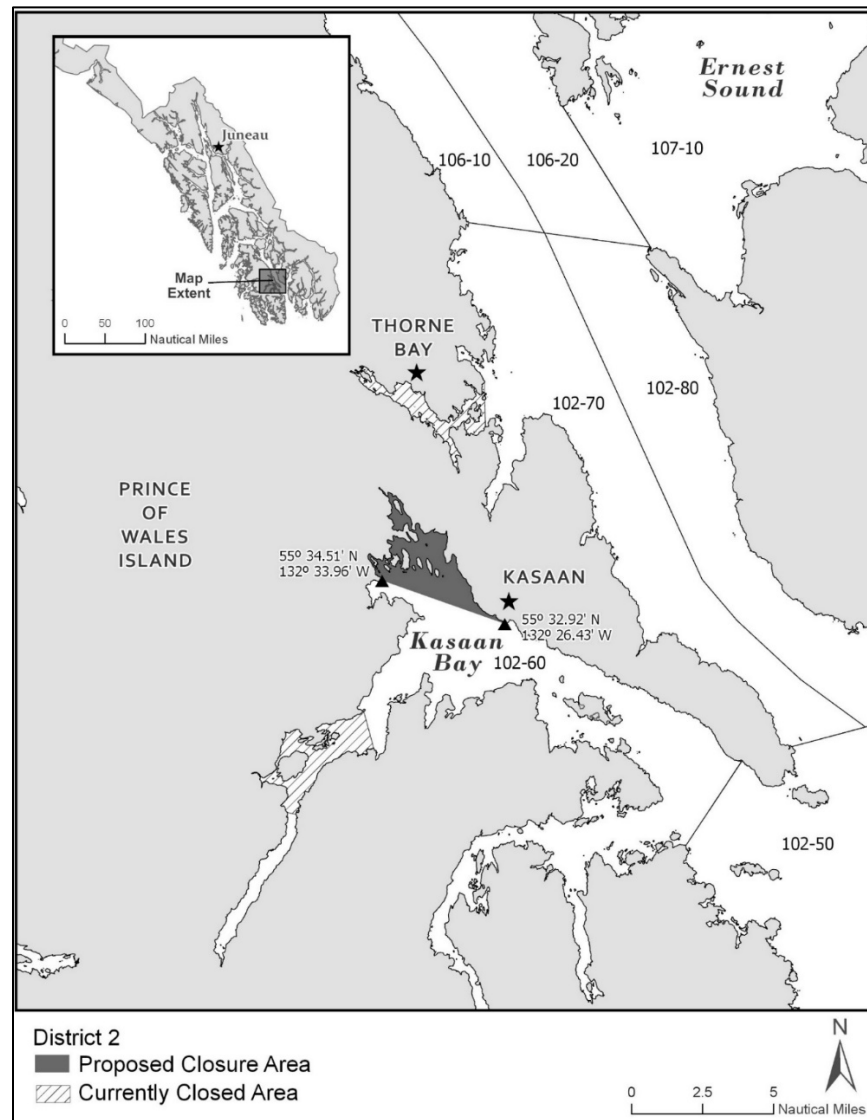


Figure 208-1.—Area proposed for closure to commercial fishing for Dungeness crab.

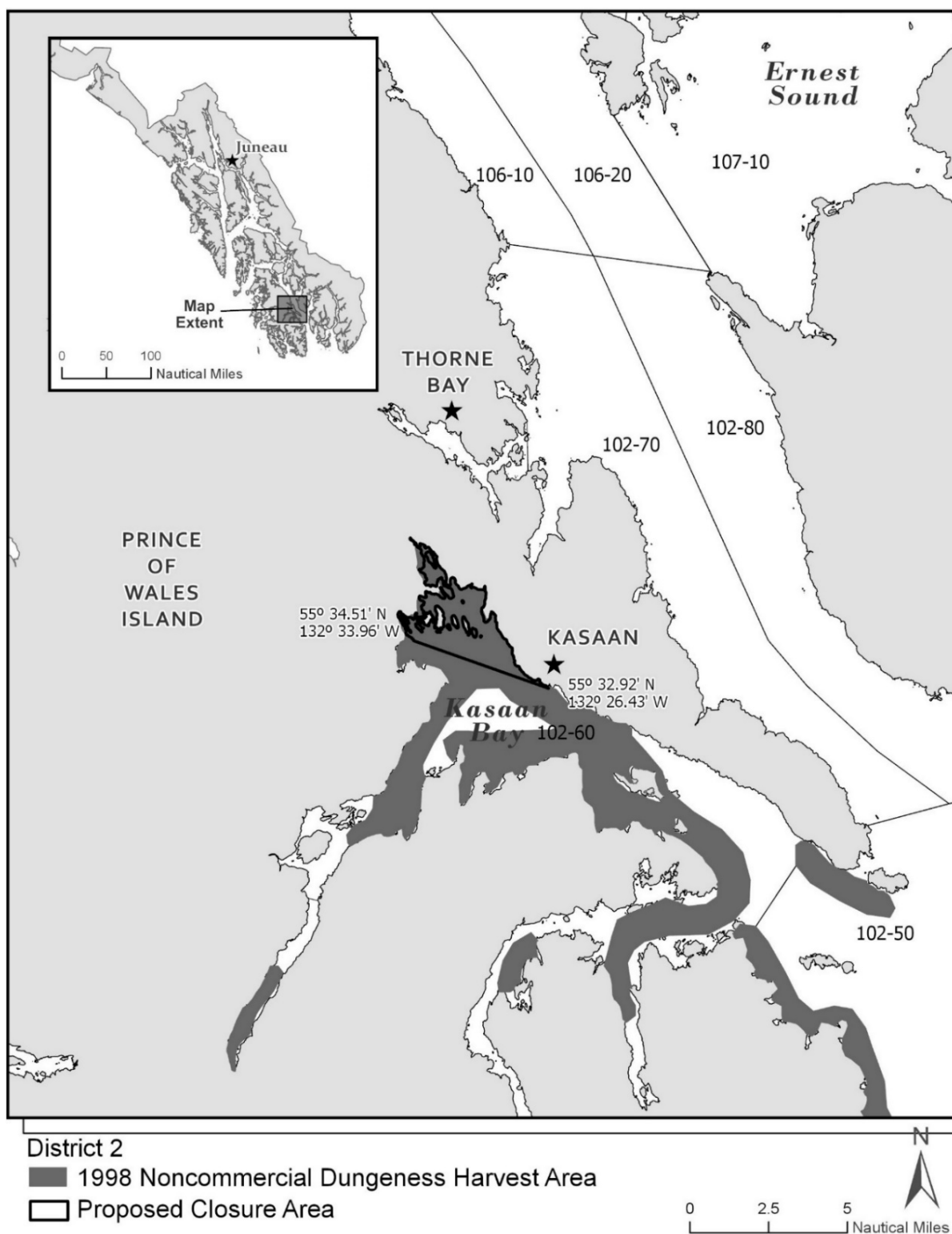


Figure 208-2.—Area proposed for closure to commercial fishing for Dungeness crab and 1998 noncommercial harvest area for Dungeness crab.

PROPOSAL 209 – 5 AAC 47.021. Special provisions for seasons, bag, possession, annual, and size limits for the salt waters of the Southeast Alaska Area. and 5 AAC 47.035. Methods, means and general provisions – Shellfish.

PROPOSED BY: Klawock Fish & Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Reduce the sport fishing bag limit for Dungeness crab and reduce the number of pots that may be used to sport fish for Dungeness crab in District 3.

WHAT ARE THE CURRENT REGULATIONS? The sport fishery for Dungeness crab is open year-round with a bag and possession limit of three male Tanner and Dungeness crab in combination, with a minimum size limit of a 6½ inch carapace width for Dungeness crab. While taking Dungeness crab, four crab pots or 10 rings per person may be used with a maximum of 10 crab pots or 20 rings per vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This action would reduce the sport fishing bag limit for Dungeness crab from three legal crab to two legal crab per day in District 3. In addition, this action would reduce the number of pots allowed for sport fishing for Dungeness crab from four per person to two per person and reduce the number of pots per vessel from 10 to four in District 3. These actions would create a greater disparity between sport and personal use/subsistence regulations. It would further complicate regulations by adding an area-specific regulation as an exception to regionwide regulations.

BACKGROUND: According to regulation 5 AAC 02.108. *Customary and traditional subsistence use of shellfish stocks* (3), District 3 is an area that the board has found has customary and traditional uses of shellfish (except shrimp, king crab, and Tanner crab). Communities in District 3 include Craig, Klawock, Naukati Bay, Edna Bay, and Hydaburg. The board has not made ANS findings for shellfish stocks in SEAK.

Sport fishing regulations for Dungeness crab in SEAK were established in 1989 with a bag and possession limit of five male Dungeness/Tanner crab in combination and a minimum size limit of 6½ inches for Dungeness crab. In 2009, the bag and possession limit was lowered to three male Dungeness/Tanner crab in combination. In 2012, the number of ring nets which could be fished in the sport Dungeness crab fishery was limited to 10 per person and 20 per vessel.

From 2010 to 2019, the statewide harvest survey estimates of Dungeness crab harvest for western POW, which includes District 3, averaged 3,994 crab (Table 209-1). The proportion of harvest by nonresidents in this area cannot be determined due to insufficient responses rates in the statewide harvest survey. However, the nonresident harvest of Dungeness crab has averaged 51% of the statewide harvest survey estimates for the entire POW area during the same period (Table 209-1).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. The department does not have any biological concerns for the Dungeness crab resource in this area. Adoption may provide a subsistence user with more opportunity to harvest crab; however, the department is concerned that it would further complicate shellfish regulations in SEAK.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

Table 209–1.—Statewide harvest survey estimates of Dungeness crab by residency harvested in the sport and personal use Dungeness crab fisheries of Prince of Wales Management Area, 2010-2019.

Year	Prince of Wales			West Prince of Wales*
	Nonresident	Resident	Total	Total Harvest
2010	4,310	6,402	10,712	3,675
2011	5,001	7,047	12,048	3,950
2012	7,160	4,230	11,390	4,089
2013	5,530	3,595	9,125	3,449
2014	8,250	8,850	17,100	3,255
2015	6,494	9,917	16,411	8,575
2016	6,943	5,727	12,670	4,682
2017	4,199	5,772	9,971	4,755
2018	3,393	2,316	5,709	1,168
2019	7,437	2,943	10,380	2,339
10-year average (2010-2019)	5,698	5,984	11,551	3,994
Percent of recreational harvest	51%	49%		

PROPOSAL 210 – 5 AAC 32.150. Closed waters in Registration Area A.

PROPOSED BY: Anthony Christianson.

WHAT WOULD THE PROPOSAL DO? This would establish an area closed to the commercial taking of Dungeness crab in Natzuhini Bay and Sukkwan Strait enclosed on the north by lines between the openings of North Pass from 55° 12.61' N. lat., 132° 57.68' W. long. to 55° 12.43' N. lat., 132° 56.30' W. long. and South Pass from 55° 10.11' N. lat., 132° 53.60' W. long. to 55° 09.78' N. lat., to 132 ° 53.43' W. long., extending south to a line between Eek Point and Round Point from 55° 8.26' N. lat., 132° 40.01' W. long. to 55° 04.50' N. lat., 132° 41.31' W. long. (Figure 210-1).

WHAT ARE THE CURRENT REGULATIONS? The commercial Dungeness crab fishery in this area is open during the summer (June 15–August 15) and fall (October 1–November 30) seasons. Season length is determined based on harvest projection thresholds that stipulate a full, reduced, or closed season.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would establish a new area that would be closed to the commercial Dungeness crab fishery but remain open to personal use, sport, and subsistence Dungeness crab fisheries. Closing additional areas to commercial fishing for Dungeness crab will result in increased density of gear in the areas that remain open, potentially increased gear loss, and increased potential for localized depletion.

BACKGROUND: The proposed area is part of statistical areas 103-40 and 103-25 (Figure 210-1) and includes Sukkwan Strait, Natzuhini Bay, North Pass, and South Pass near Hydaburg. The average harvest over the past ten full seasons for both statistical areas combined is confidential and cannot be reported because there were fewer than 3 permit holders.

Regulation 5 AAC 02.108 *Customary and traditional subsistence use of shellfish stocks* (3) describes that the proposed area is within an area that the board has found there are customary and traditional uses of Dungeness crab. The board has not determined an amount reasonably necessary for subsistence (ANS) for shellfish in Southeast Alaska. In 2012, the department sampled households for noncommercial harvest information in Hydaburg (Figure 210-2). The survey found the mean household harvest was 42 pounds of Dungeness crab (15.2 pounds per person). There is no additional information available on the magnitude of the noncommercial harvest in these statistical areas.

DEPARTMENT COMMENTS: The department **OPPOSES** closing areas to commercial fishing for Dungeness crab where there is no conservation concern and is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

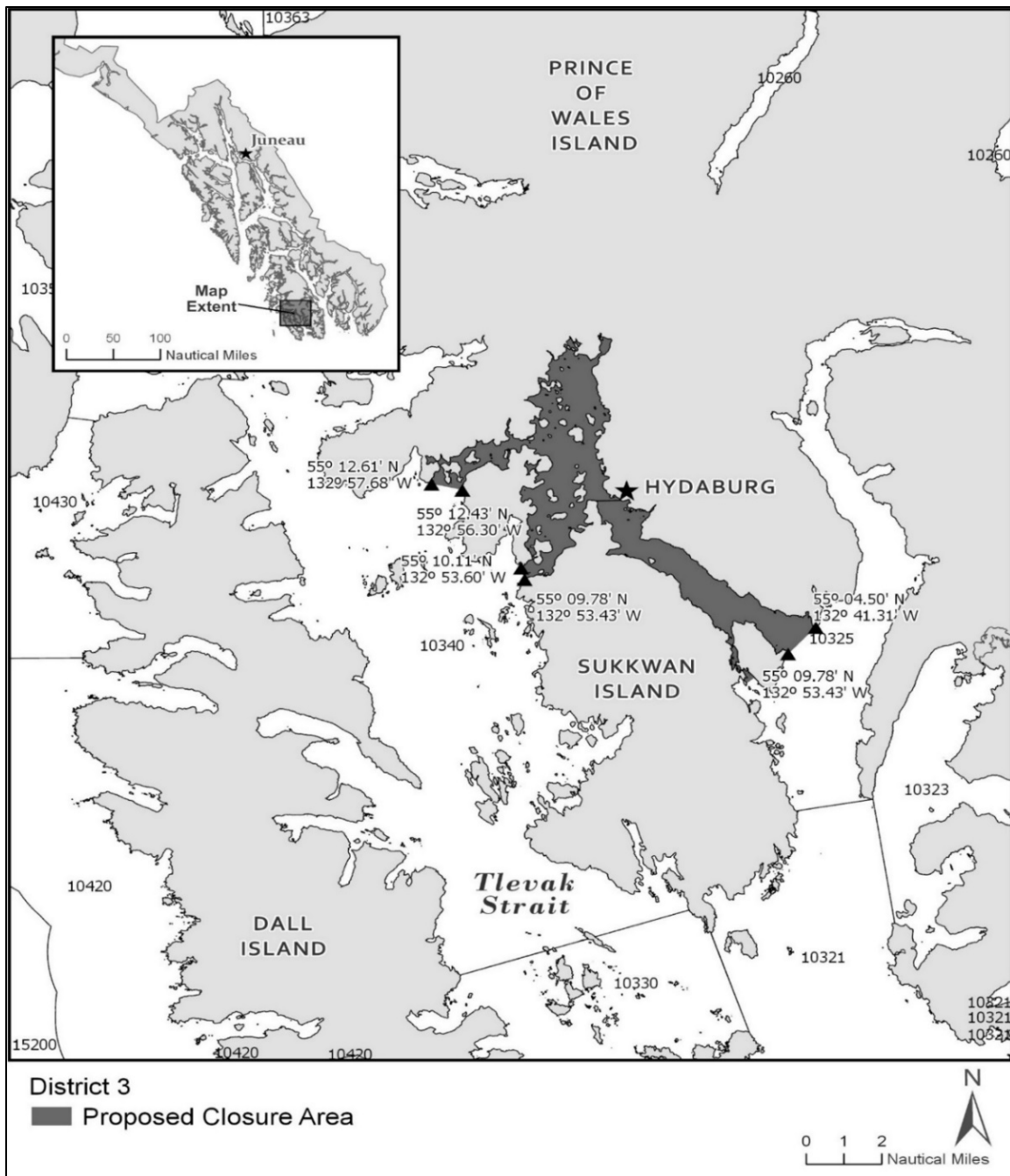


Figure 210-1.—Area proposed for closure to commercial fishing for Dungeness crab.

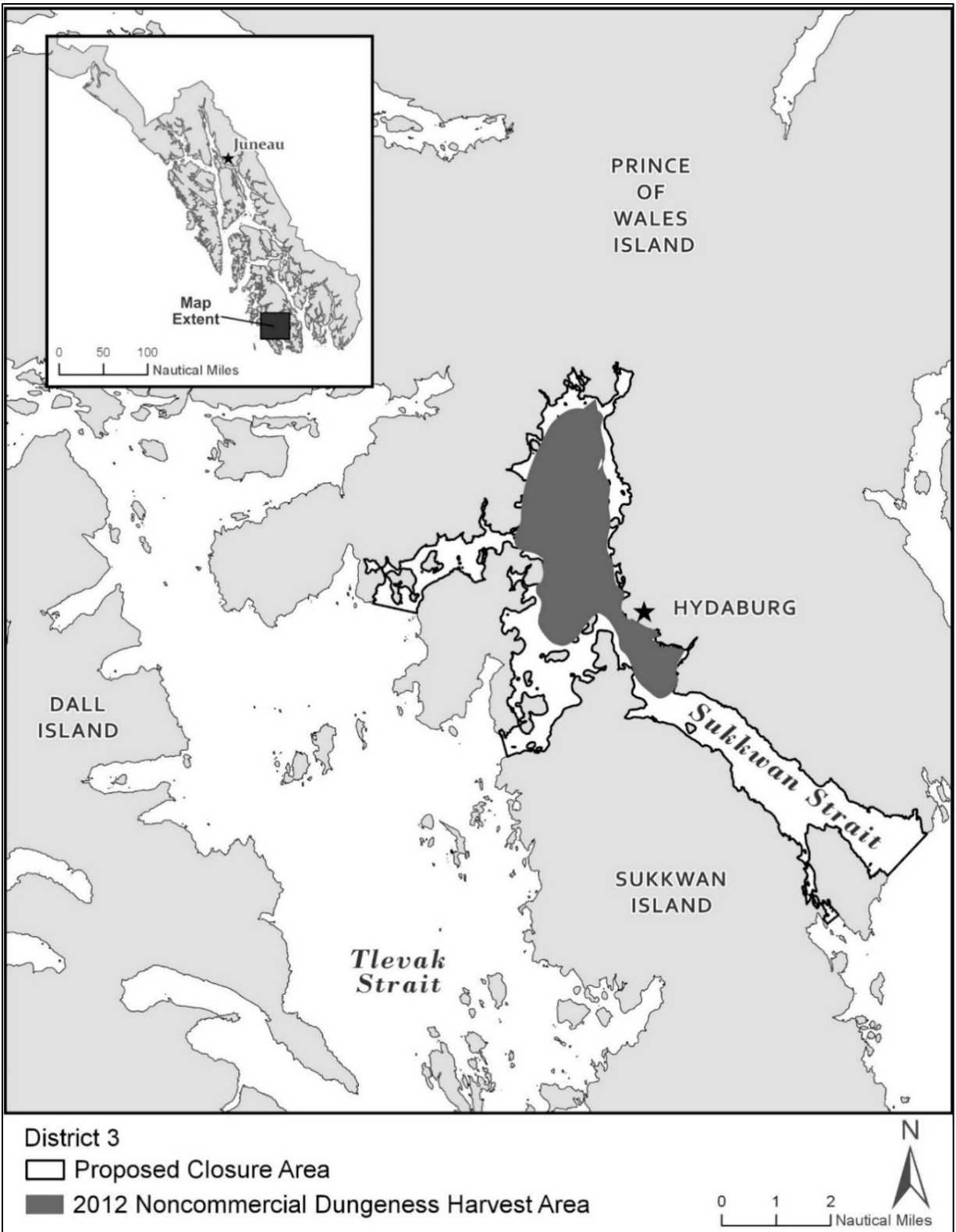


Figure 210-2.—Area proposed for closure to commercial fishing for Dungeness crab and 2012 noncommercial harvest area for Dungeness crab.

PROPOSAL 211 – 5 AAC 32.110. Fishing seasons for Registration Area A.

PROPOSED BY: Peter Roddy.

WHAT WOULD THE PROPOSAL DO? This would change the season description for the Sitka Sound Special Use Area (Figure 211-1) described in 5 AAC 32.110(A) and (C) from a fall only season open October 1–November 30 to a fall/winter season open October 1–February 28.

WHAT ARE THE CURRENT REGULATIONS? The commercial Dungeness crab season is open from October 1 through November 30 in the Sitka Sound Special Use Area as described in 5 AAC 32.150(10) but is closed from December 1 through February 28.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The commercial Dungeness crab fishery season length in this area would increase from two months to five months.

BACKGROUND: While the Sitka Sound Special Use Area is described as a closed area in 5 AAC 32.150(10), it is not truly a closed area and is not closed to commercial Dungeness crab fishing. It is an area, along with a portion of Whale Pass, that has a fall only season description [5 AAC 32.110(2)(A)] and is open to commercial Dungeness crab fishing from October 1 – November 30. The proposed area is part of statistical areas 113-31, 113-35, 113-36, 113-38, 113-40, 113-41, 113-42, 113-43, 113-44, 113-62, and 113-66 (Figure 211-1). The combined average harvest in these statistical areas over the past ten full seasons is 2,840 pounds by 3 permit holders (Figure 211-1). The purpose of the Sitka Sound Special Use Area is to allow personal use and subsistence fishermen and unguided sport fishermen greater opportunity for harvest in the waters near Sitka.

Regulation 5 AAC 02.108 *Customary and traditional subsistence use of shellfish stocks* (11) describes that the proposed area is within an area that the board has found there are customary and traditional uses of Dungeness crab. The board has not determined an amount reasonably necessary for subsistence (ANS) for shellfish in Southeast Alaska. In 2014, the department sampled households in Sitka for noncommercial harvest information (Figure 201-2). The survey found the mean household harvest for the year was 7.5 pounds of Dungeness crab (2.8 pounds per person). There is no additional information available on the magnitude of the noncommercial harvest in these statistical areas.

DEPARTMENT COMMENTS: The department does not have conservation concerns for the Dungeness crab resource in this area and is **NEUTRAL** on the allocative aspects of this proposal.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 211-1.—Combined commercial harvest and effort of Dungeness crab in statistical areas 113-31, 113-35, 113-36, 113-38, 113-40, 113-41, 113-42, 113-43, 113-44, 113-62, and 113-66 for the last ten full seasons.

Season	Harvest	Permits	Landings
2010/11	0	0	0
2011/12	0	0	0
2012/13	*	*	*
2013/14	*	*	*
2014/15	7,440	3	21
2015/16	*	*	*
2016/17	1,849	4	16
2017/18	*	*	*
2018/19	1,683	3	8
2019/20	6,570	3	4
Average	2,840	3	10

* Confidential because fewer than 3 permits fished.

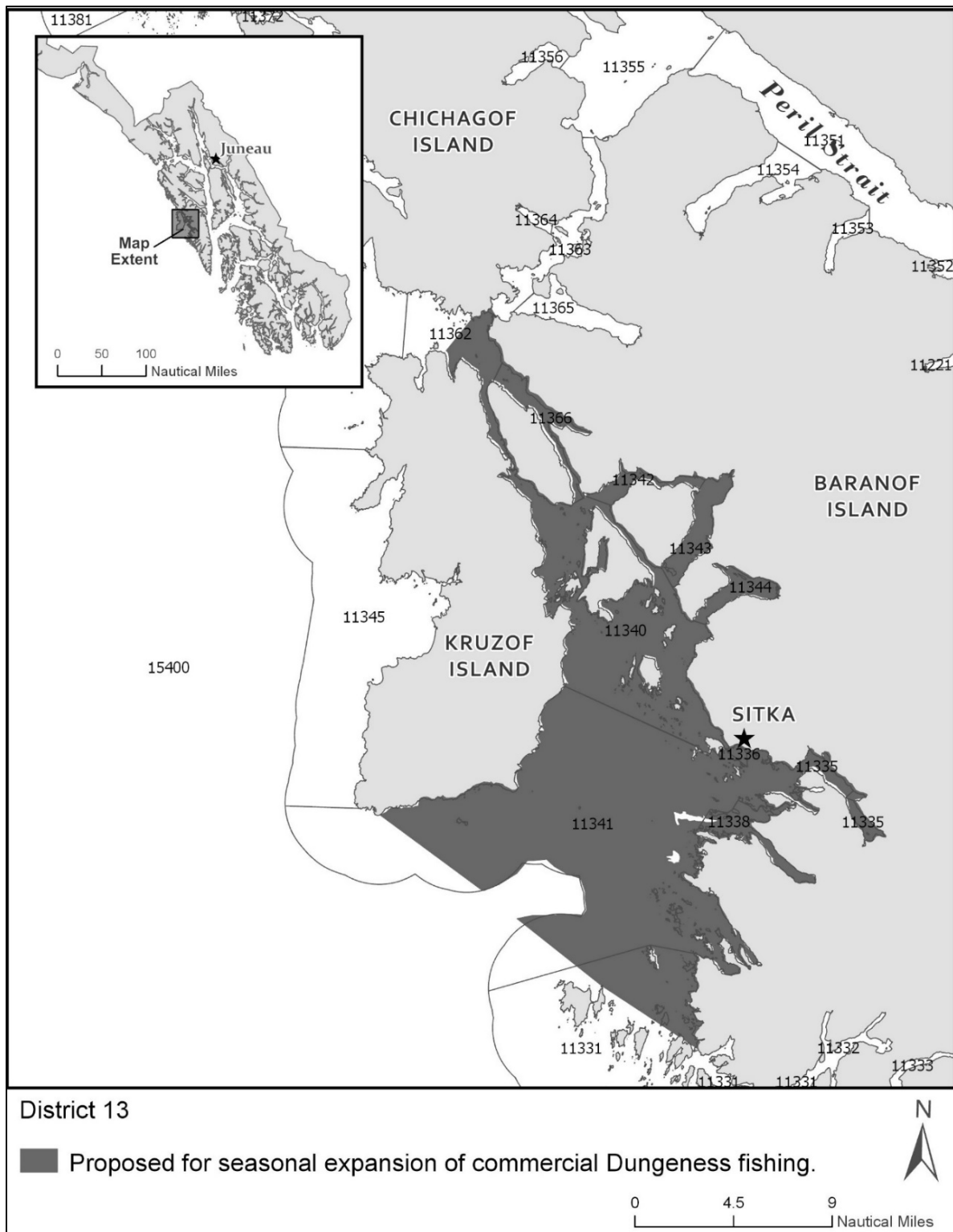


Figure 211-1.—Area proposed for seasonal expansion to commercial fishing for Dungeness crab.

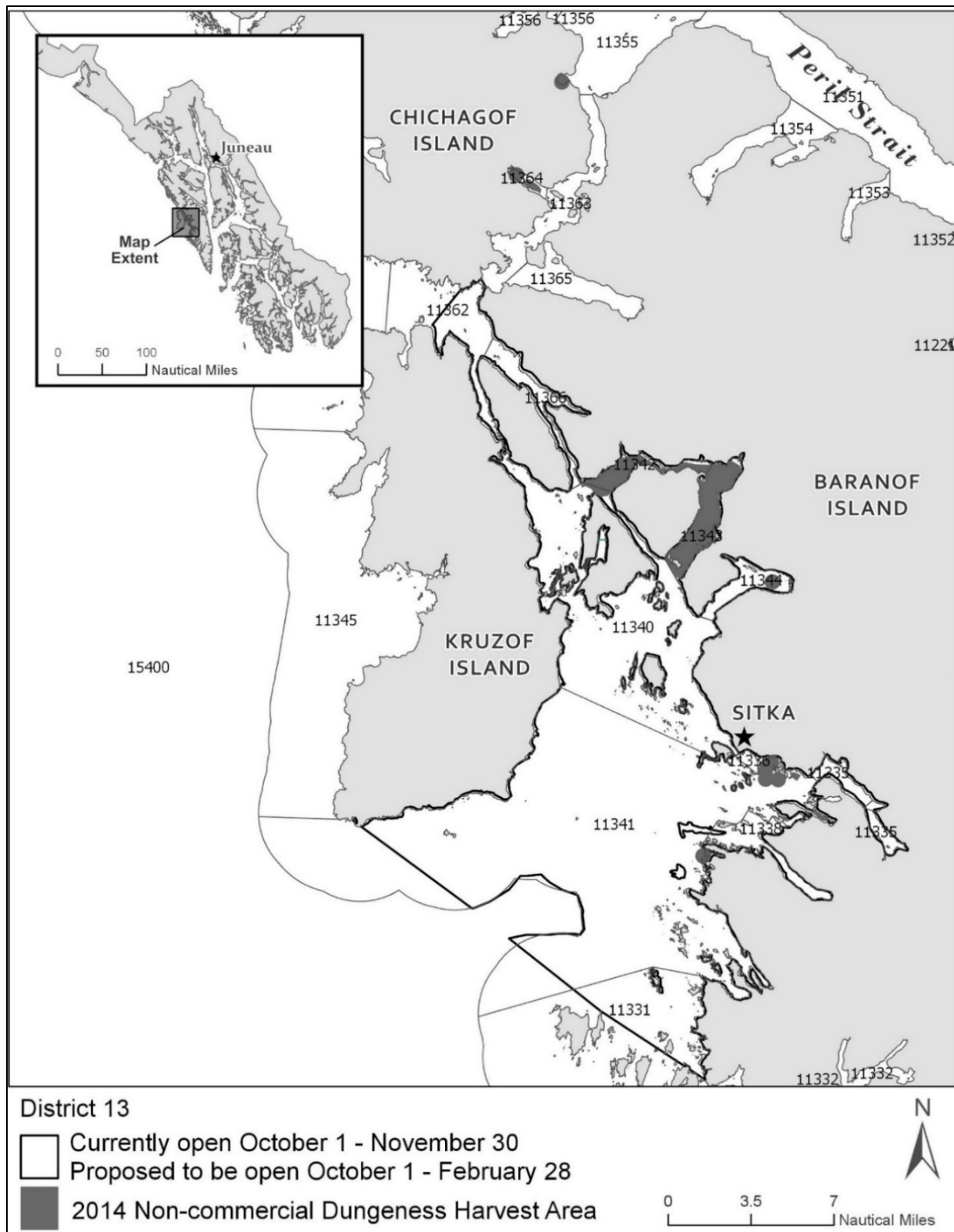


Figure 211-2.—Sitka Sound Special Use Area proposed for seasonal expansion to commercial fishing and 2014 noncommercial harvest areas for Dungeness crab.

PROPOSAL 212 – 5 AAC 32.052. Dungeness crab pot gear storage requirements.

PROPOSED BY: Peter Roddy.

WHAT WOULD THE PROPOSAL DO? This would allow permit holders seven days to remove their stored Dungeness pot gear from the water following the closure of any portion of Registration Area A.

WHAT ARE THE CURRENT REGULATIONS? Regulations currently allow no more than 72 hours to remove stored pots from the water after the Dungeness crab season closes in any portion of Registration Area A. After a regionwide closure in Registration Area A, however, a person may store pots in the water for no more than seven days. A person may store, in the waters that are closed to Dungeness crab fishing, the person's Dungeness crab pots if all pot doors are secured fully open and all bait and bait containers are removed. There is a provision – 5 AAC 32.052(c) – that allows an extension of this deadline if a major vessel breakdown or extreme weather conditions can be verified and authorized by department staff.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, commercial fishermen would have seven days to remove their Dungeness pot gear, in stored condition, from the water once the fishery has closed in any portion of Registration Area A. This would allow more time to transfer gear from closed fishing areas to port, which may be particularly helpful when weather precludes safe removal during the Fall/Winter season. This would be consistent with the time allowed for the August 15 (or end of the summer) and February 28 closures when the entire registration area closes to fishing.

BACKGROUND: Statewide storage requirements for Dungeness crab became effective May 1998. Time allotted for gear storage following closure of an area or region allows fishery participants to leave pots in the water, in stored condition, while transferring pots to port in a safe and orderly manner. The current regulation allowing a time of 72 hours was considered as the minimum time needed for transferring gear. The minimum time is desirable for enforcement purposes because it narrows the window of patrolling time that is necessary to confirm that areas are free of actively fishing pots. During the March 2005 board meeting, the gear storage period for partial area closures during the Southeast Alaska golden king crab fishery was increased from 72 hours to five days, and at the January 2009 board meeting gear storage for partial area closures was increased from 72 hours to five days for the Tanner crab fishery in Southeast Alaska. These actions were taken to allow more time to safely retrieve stored pots if poor weather or tidal current became an obstacle.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

The department defers to the Alaska Wildlife Troopers on the impact this regulation would have on their ability to enforce Dungeness crab season closures, which is the primary purpose of gear storage time limits.

COST ANALYSIS: Adoption of this proposal is not expected to result in an additional direct cost for a private person to participate in the fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 213 – 5 AAC 32.052. Dungeness crab pot gear storage requirements.

PROPOSED BY: Peter Roddy.

WHAT WOULD THE PROPOSAL DO? This would allow permit holders seven days to remove their stored Dungeness pot gear from the water following the closure of the fall season in Districts 3–16.

WHAT ARE THE CURRENT REGULATIONS? Regulations currently allow no more than 72 hours to remove stored pots from the water after the Dungeness crab season closes in any portion of Registration Area A. After a regionwide closure in Registration Area A, however, a person may store pots in the water for no more than seven days. A person may store, in the waters that are closed to Dungeness crab fishing, the person's Dungeness crab pots if all pot doors are secured fully open and all bait and bait containers are removed. There is a provision – 5 AAC 32.052(c) – that allows an extension of this deadline if a major vessel breakdown or extreme weather conditions can be verified and authorized by department staff.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If adopted, commercial fishermen would have seven days to remove their Dungeness pot gear, in stored condition, from the water once the fishery has closed for the fall season in Districts 3–16 of Registration Area A. This would allow more time to transfer gear from closed fishing areas to port, which may be particularly helpful when weather precludes safe removal during the Fall/Winter season. This would be consistent with the time allowed for the August 15 (or end of the summer) and February 28 closures when the entire registration area closes to fishing.

BACKGROUND: Statewide storage requirements for Dungeness crab became effective May 1998. Time allotted for gear storage following closure of an area or region allows fishery participants to leave pots in the water, in stored condition, while transferring pots to port in a safe and orderly manner. The current regulation allowing a time of 72 hours was considered as the minimum time needed for transferring gear. The minimum time is desirable for enforcement purposes because it narrows the window of patrolling time that is necessary to confirm that areas are free of actively fishing pots. During the March 2005 board meeting, the gear storage period for partial area closures during the Southeast Alaska golden king crab fishery was increased from 72 hours to five days, and at the January 2009 board meeting gear storage for partial area closures was increased from 72 hours to five days for the Tanner crab fishery in Southeast Alaska. These actions were taken to allow more time to safely retrieve stored pots if poor weather or tidal current became an obstacle.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal.

The department defers to the Alaska Wildlife Troopers on the impact this regulation would have on their ability to enforce Dungeness crab season closures, which is the primary purpose of gear storage time limits.

COST ANALYSIS: Adoption of this proposal is not expected to result in an additional direct cost for a private person to participate in the fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 214 – 5 AAC 32.125. Lawful gear for Registration Area A.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This seeks to clarify the description of lawful gear for Dungeness crab pots within Southeast Alaska (Registration Area A). It would amend 5 AAC 32.125(f) to include “circular” within the regulatory definition of a commercial Dungeness crab pot.

WHAT ARE THE CURRENT REGULATIONS? The current regulations state that the maximum outside diameter of a Dungeness crab pot is not more than 50 inches and is not more than 18 inches high. Diameter can be defined as a straight line passing from side to side through the center of a body or figure, especially a circle or sphere. The term “diameter” implies the top of a Dungeness crab pot would be a circle (or hatbox style), but the regulation does not specifically state the shape of a legal commercial crab pot.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would make circular, or hatbox style, crab pots with vertical sides the only legal pot shape for the commercial fishery. Square pots, or anything other than circular pots, would not be legal gear. It would also make the regulation easier for the public, enforcement, and the department to interpret.

BACKGROUND: Lawful gear for commercial Dungeness crab has been modified by the board dating back to regulatory changes that were implemented for the 1986 Dungeness crab season – 5 AAC 32.050 was updated to include “permanent and rigid tunnel eye openings which individually do not exceed 30 inches (76 mm) in perimeter”. Escape mechanisms were also redefined prior to the 1990 fishery and specified, “A sidewall, which may include the tunnel of all shellfish and bottom fish pots, must contain an opening equal to or exceeding 18 inches in length, except that in shrimp pots the opening may be a minimum of six inches in length. The opening must be laced, sewn, or secured together by a single length of untreated, 100 percent cotton twine no larger than 30 thread. The biodegradable twine may be knotted at each end only. The opening must be within six inches of the bottom of the pot and parallel with it. The biodegradable twine cannot be tied or looped around the web bars. Dungeness crab pots may have the pot lid tie-down straps secured to the pot at one end of a single loop of untreated, 100 percent cotton twine no larger than 30 thread as a substitute for the above requirement. A Dungeness crab pot lid must be secured such that when the twine degrades, the lid will no longer be securely closed.” This was further revised at the 2006 board meeting.

The development of Dungeness gear remained static for many years with minimal changes to materials, configuration, size, and weight to substantially affect pot efficiency. However, trigger devices that decrease escapement of crab through entrance tunnels have been developed and installed on commercial gear, and some fishermen have begun using larger pots. To prevent further increases in pot size, a maximum pot size of 50 inches in diameter was implemented prior to the 2001/02 season.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. Despite current regulations and frequent discussion between permit holders, department staff, and enforcement, some confusion remains as to whether commercial Dungeness crab pots can be anything other than a circular pot. Clarifying the Dungeness crab pot definition will lead to less ambiguity for all involved in the commercial fishery. This language, along with requirements specified in 5 AAC 32.050, clarifies that Dungeness crab pots are circular in shape with vertical sides.

COST ANALYSIS: Adoption of this proposal is not expected to result in an additional direct cost for a private person to participate in the fishery. Approval of this proposal is not expected to result in an additional cost for the department.

COMMITTEE OF THE WHOLE – GROUP 8: SUBSISTENCE SHELLFISH, COMMERCIAL AND SPORT SHRIMP, COMMERCIAL AND SPORT OTHER MISCELLANEOUS SHELLFISH (Chair TBD)

Subsistence Shellfish, Commercial and Sport Shrimp, Commercial and Sport Other Miscellaneous Shellfish (21 Proposals)

PROPOSAL 170 – 5 AAC 02.108. Customary and traditional subsistence uses of shellfish stocks; 5 AAC 01.713. Subsistence use of aquatic plants in Southeastern Alaska Area (repealed 2007); 5 AAC 77.679. Personal use aquatic plant fishery; 5 AAC 37.000. Aquatic plants.

PROPOSED BY: Ketchikan Indian Community.

WHAT WOULD THE PROPOSAL DO? Establish a new category of “beach seafood”, a species assemblage of shellfish and aquatic plants found within the intertidal and beach area traditionally utilized by indigenous peoples of Alaska and establish a subsistence C&T use finding for the use of “beach seafood”, excluding aquatic plants, throughout the Southeastern Alaska-Yakutat area.

WHAT ARE THE CURRENT REGULATIONS? Shellfish may be taken for subsistence purposes in areas throughout the Southeastern Alaska-Yakutat area that have positive customary and traditional use (C&T) findings, except in the nonsubsistence areas around the communities of Ketchikan and Juneau. C&T findings currently exist for shellfish with the exception of king and Tanner crab, and shrimp in portions of most districts in Southeast Alaska, and with few exceptions there are no seasons or possession limits for species found in the intertidal area (Figure 170-1). Harvesting under subsistence regulations does not require the possession of a sportfish license. In areas without C&T findings and in the nonsubsistence areas surrounding Ketchikan and Juneau, a sport fishing license is required to harvest shellfish under personal use regulations.

Aquatic plants may be harvested throughout the Southeastern Alaska-Yakutat area outside of the nonsubsistence areas under statewide 5 AAC Chapter 37 for noncommercial uses with no closed seasons or harvest limits. Within the nonsubsistence areas surrounding Ketchikan and Juneau, aquatic plants may be harvested under personal use regulations with no closed season. In the Ketchikan nonsubsistence area there is no harvest limit except that along the Ketchikan road system the possession limit is 10 gallons, and within the Juneau nonsubsistence area the possession limit is 5 gallons and beaches adjacent to the Juneau road system are closed to the harvest of aquatic plants. A sport fishing license must be in a person’s possession to harvest aquatic plants under personal use regulations.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? A subsistence harvest priority for “beach seafood” would be established and harvesters would be able to harvest shellfish and aquatic plants from the intertidal areas throughout the Southeastern Alaska-Yakutat area without a sport fishing license. Since there are already C&T findings throughout Southeast Alaska for shellfish species included in the “beach seafood” assemblage this proposal would have little effect other than increasing regulatory complexity.

BACKGROUND: Indigenous peoples have always harvested “beach seafood” throughout the coastal areas of Alaska. “Beach seafood” is a species assemblage of shellfish and aquatic plants described by the proposal as “including, but not limited to clams, cockles, seaweed, gumboots, sea asparagus and sea cucumbers”. In the Southeastern Alaska-Yakutat area, 5 AAC 02.108 describes C&T findings for the use of shellfish and with few exceptions in those C&T areas there are no season or possession limits for shellfish found in the intertidal area. Outside of the areas with positive C&T findings and within the nonsubsistence areas surrounding Ketchikan and Juneau, shellfish found in the intertidal areas may be harvested under personal use regulations.

AS 16.05.258 directs the board to identify fish stocks and game populations that are customarily and traditionally taken or used for subsistence. For the board to adopt C&T findings for fish and game resources, the identified fish stock or game populations are considered using the eight criteria outlined in 5 AAC 99.010(b). Aquatic plants are not within the definition of “fish”, defined in regulation as any species of aquatic finfish, invertebrate, or amphibian, in any stage of its life cycle, found in or introduced into the state, although aquatic plants do qualify as a “fishery resource”. In 2007, a department-generated proposal regarding noncommercial harvest of aquatic plants outside of nonsubsistence areas came before the board. Because aquatic plants are not included in AS 16.05.258(a) which requires the board to establish subsistence priority findings for fish stocks and game populations, preferential subsistence findings and subsistence regulations cannot be made for aquatic plants. AS 16.05.251 Regulations of the board (a)(10) grants the board the authority to establish “seasons, areas, quotas, and methods of harvest for aquatic plants”. The Legislature clearly knew that aquatic plants were separate from fish stocks, so they included a separate subsection allowing the board to make regulations related to aquatic plants. The Department of Law recommended the board repeal 5 AAC 01.713 Subsistence use of aquatic plants in Southeastern Alaska Area and amend Chapter 37 Aquatic Plants to allow year-round noncommercial harvest of aquatic plants and eliminate the permit requirement for noncommercial harvest of aquatic plants outside of the nonsubsistence areas. After those board actions, Chapter 37 provided for the noncommercial harvest of aquatic plants outside of the nonsubsistence areas, but there were no personal use regulations in Chapter 77 regarding the harvest of aquatic plants, except that they could only occur under regulations in the chapter. This made the noncommercial harvest of aquatic plants in the nonsubsistence areas unlawful. To address this oversight, in 2018 as the result of a department proposal, the board adopted the Southeast Alaska personal use regulation 5AAC 77.679 Personal use aquatic plant fishery, providing for the harvest of aquatic plants under personal use regulations, with no season and some possession limits in the Ketchikan and Juneau nonsubsistence areas. “Aquatic plant” means any species of plant (including algae), excluding the rushes, sedges, and true grasses, growing in an aquatic marine or intertidal habitat.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on establishing C&T findings for “beach seafood” in the Southeastern Alaska-Yakutat area. By statute, C&T findings may not be established in the nonsubsistence areas surrounding the communities of Ketchikan and Juneau. Positive C&T findings currently exist for most species of shellfish in portions of the Southeast Alaska and Yakutat areas. The board does not have the authority to establish C&T findings for aquatic plants.

The regulations regarding noncommercial harvest of aquatic plants in Southeast Alaska are under Chapter 37 aquatic plants, and Chapter 77 personal use. Under personal use regulations possession of a valid sport fishing license is required. There is no requirement for a sport fishing license for

the noncommercial harvest of aquatic plants under statewide Chapter 37 regulations. 5 AAC 77.679 was adopted by the board in 2018 to provide for personal use harvests within the Ketchikan and Juneau nonsubsistence areas. As written, it is not clear if this personal use regulation applies to all of Southeast Alaska, or just the nonsubsistence areas. The board could consider clarifying 5 AAC 77.679 so the personal use regulations clearly apply only to the nonsubsistence areas in Southeast Alaska, and thus the harvest of aquatic plants outside the Ketchikan and Juneau nonsubsistence areas would clearly be under the noncommercial harvest regulations found in Chapter 37 and would not require a sport fishing license.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

SUBSISTENCE REGULATION REVIEW:

1. Is this stock in a nonsubsistence area? Some portions of stocks in this proposal are within the Ketchikan and Juneau Nonsubsistence Areas (5AAC 99.015(a) and (b)).
2. Is this stock customarily and traditionally taken or used for subsistence? Yes for shellfish; the board has determined that shellfish stocks are customarily and traditionally taken or used for subsistence in portions of the Southeast Alaska-Yakutat Area outside the Ketchikan and Juneau nonsubsistence areas (Figure 170-1). The board does not have the authority to establish C&T findings for aquatic plants.
3. Can a portion of the stock be harvested consistent with sustained yield? Yes.
4. What amount is reasonably necessary for subsistence uses? The board has not determined ANS for shellfish in the Southeast Alaska-Yakutat Area.
5. Do the regulations provide a reasonable opportunity for subsistence uses? This is a board determination.
6. Is it necessary to reduce or eliminate other uses to provide a reasonable opportunity for subsistence uses? This is a board determination.

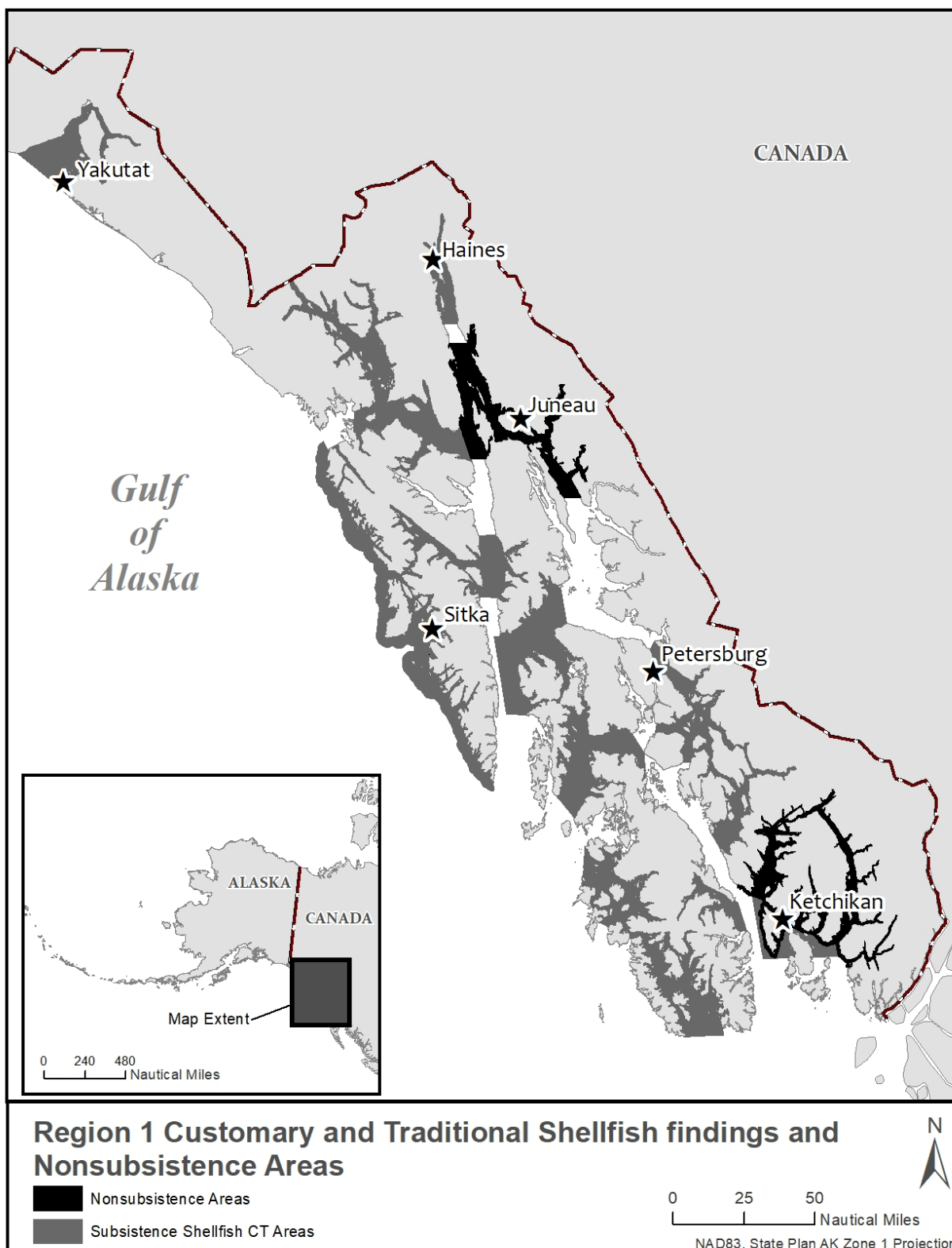


Figure 170-1.—Region 1 positive customary and traditional shellfish findings and nonsubsistence areas.

PROPOSALS 171, 172, 173, and 174 – 5 AAC 31.110. Shrimp pot fishing seasons and periods for Registration Area A.

PROPOSED BY: Richard Foley (Proposal 171); Sitka Fish and Game Advisory Committee (Proposal 172); Lucas Bastian (Proposal 173); and East Prince of Wales Advisory Committee (Proposal 174).

WHAT WOULD THE PROPOSALS DO? Proposal 171 would shift the commercial pot shrimp opening from October 1 to an unspecified time after March; Proposal 172 would shift the season to May 15 through July 31 and allow for a fall season beginning October 1 by EO; Proposal 173 would shift the season to May 21 through July 31 and allow for a fall season by EO beginning October 1; and Proposal 174 would shift the season to May 15 through July 31 in Districts 2 and 6.

WHAT ARE THE CURRENT REGULATIONS? Current regulations open the commercial pot shrimp fishery from October 1 through February 28. The department may reopen the fishery from May 15 through July 31 in districts where the GHL was not reached during the winter fishery.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? Moving the fishery from primarily a fall/winter fishery to a spring/summer fishery would place the Southeast Alaska shrimp harvest in direct market competition with the Canadian fishery in British Columbia. The fishery would also have the potential to overlap with lucrative summer Dungeness and salmon fisheries that many pot shrimp fishermen partake in. Competition between the commercial and subsistence/personal use/sport shrimp fisheries may increase because most harvest in these fisheries occur in the summer months. A spring/summer season would likely be better for the overall health of the shrimp stock and may lead to increased shrimp biomass. There may be a greater abundance of shrimp available for harvest because the fishery would occur after egg hatching but before the increased natural mortality that occurs during oogenesis, mating, and egg extrusion. In addition, it would allow the department to better utilize the results of the fall pot shrimp survey to manage the spring fishery, which increases available data managers use to set GHLS. Currently the survey ends just prior to the fishery opening and final survey results are not available for use until the following season.

BACKGROUND: The current seasons were established by the board based on economic considerations and biological concerns. The fall/winter season was established primarily to reduce competition with the much larger spring/summer Canadian fishery and the March 1 through May 15 closure was established to protect the stock during the egg hatch period.

Changing the initial season start date to on or after May 15 would enhance biological conservation and fishery management. Fishing during this time may allow for increased GHLS in the future because the fishery would occur before the high natural mortality periods of molting, mating, egg development, and egg extrusion. The current fall fishery occurs after these processes are complete.

Fishing on the stock in the spring would also allow females carrying eggs in the fall to brood and hatch their eggs before being subject to fishing mortality, which may enhance long term stock resilience. A spring fishery would allow the department to better utilize the pot shrimp pre-season survey data. The surveys occur in September and are temporally confined by the summer molt

(finishing in mid-August) and the fishery opening (October 1). Survey results are not available to managers until after the fishery has opened, thus survey data are used for stock assessment and setting GHGs the following year. This is suboptimal because shrimp populations fluctuate annually. A spring fishery opening would allow survey results from the fall to be used to set GHGs for the following spring. The change in fishery opening date would make Southeast Alaska spot shrimp fisheries consistent with both the British Columbia (mid-May) and Prince William Sound (April 15) fishery openings.

DEPARTMENT COMMENTS: The department **SUPPORTS** shifting the shrimp season date to a more biologically appropriate time period but notes that egg hatching for spot shrimp often occurs in mid to late April and would recommend the board consider an opening date on or after May 15 in order to maximize potential benefits of a spring/summer season. The department is **NEUTRAL** on the allocative aspects of these proposals such as potential changes to the economics of the fishery and notes the current season dates were established after extensive input from industry.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of these proposals is not expected to result in an additional cost for the department.

PROPOSAL 175 – 5 AAC 31.124. Lawful shrimp pot gear for Registration Area A.

PROPOSED BY: Don Westlund.

WHAT WOULD THE PROPOSAL DO? This would limit the number of pots that may be fished on a string to no more than 10 in the Southeast Alaska pot shrimp fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations limit participants to 140 small pots or 100 large pots but do not limit the number of pots that can be deployed on a string. If more than 5 pots are deployed on a string, two buoys must be used.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The department does not currently track the number of pots deployed per string in the Southeast Alaska pot shrimp fishery. This may reduce the catch efficiency of the pot shrimp fleet, may slow the overall pace of the fishery, and may alter competitive advantages in the fishery between small-boat and large-boat operations.

BACKGROUND: Commercial harvest of shrimp in Southeast utilizing pot gear began in the late 1960s and continued sporadically with low effort until the mid-1980s, peaking in the mid-1990s. In 1995, the CFEC was petitioned to include pot gear for shrimp into the limited entry program. The pot shrimp fishery is now limited entry and there are currently 256 active and interim permits of the 329 originally issued. In 1997, regulations were adopted that significantly affected the Southeast pot shrimp fishery: daily fishing periods, pot sizes, and pot limits. These restrictions had several effects: 1) decreased efficiency of the fleet, producing a slower-paced and more orderly fishery; 2) reduced the harvest of small shrimp by limiting fishing hours, leading to longer soak times, which allows mesh size to passively sort out smaller shrimp; and 3) provided for gear standardization, allowing fishery performance data to be utilized by managers.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. There may be benefits in slowing the pace of the fishery in some areas. However, the department has generally been able to effectively manage the faster paced fisheries and achieve GHLs.

COST ANALYSIS: Approval of this proposal may result in an additional direct cost for a private person to participate in this fishery. Fishermen may have to buy more buoy line and buoys since the number of strings deployed may increase with restrictions on the number of pots on a string. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 176 – 5 AAC 31.124. Lawful shrimp pot gear for Registration Area A.

PROPOSED BY: Don Westlund.

WHAT WOULD THE PROPOSAL DO? This would reduce the pot limit from 140 to 100 for small class pots, and from 100 to 75 for large class pots.

WHAT ARE THE CURRENT REGULATIONS? Current regulations limit participants to 140 small pots (pots with a bottom perimeter of no more than 124 inches) or 100 large pots (pots with a bottom perimeter of more than 124 inches, but not more than 153 inches).

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would reduce the catch efficiency of the pot shrimp fleet and slow the overall pace of the fishery. The proposal may alter competitive advantages in the fishery between small-boat and large-boat operations. Double picking may increase, increasing the harvest of small shrimp.

BACKGROUND: Commercial harvest of shrimp in Southeast utilizing pot gear began in the late 1960s and continued sporadically with low effort until the mid-1980s, peaking in the mid-1990s. In 1995, the CFEC was petitioned to include pot gear for shrimp into the limited entry program. The pot shrimp fishery is now limited entry and there are currently 256 active and interim permits of the 329 originally issued. In 1997, regulations were adopted that significantly affected the Southeast pot shrimp fishery: daily fishing periods, pot sizes, and pot limits. These restrictions had several effects: 1) decreased efficiency of the fleet, producing a slower-paced and more orderly fishery; 2) reduced the harvest of small shrimp by limiting fishing hours, leading to longer soak times which allows mesh size to passively sort out smaller shrimp; and 3) provided for gear standardization, allowing fishery performance data to be utilized by managers.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. There may be benefits in slowing the pace of the fishery in some areas. However, the department has generally been able to effectively manage the faster paced fisheries and achieve GHLs. The department would be concerned if by reducing the number of pots the incidence of double picking in a day would increase, increasing the harvest of small shrimp.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 177 – 5 AAC 31.136. Closed waters in Registration Area A.

PROPOSED BY: Anthony Christianson.

WHAT WOULD THE PROPOSAL DO? This would close a portion of Section 3-A around the town of Hydaburg to commercial pot shrimp fishing.

WHAT ARE THE CURRENT REGULATIONS? Regulations allow commercial, sport, and personal use pot shrimp fisheries in Section 3-A. Sport and personal use fisheries are open all year and the commercial shrimp fishery season begins October 1.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This would close the area around the community of Hydaburg to commercial pot shrimp fishing while still providing for a personal use and sport fishery. This may result in foregone harvest in the commercial fishery and increased harvest in the sport and personal use fisheries.

BACKGROUND: The commercial pot shrimp fishery opens by regulation on October 1 of each year. Districts or sections of districts are managed to a GHL and once achieved; these areas are closed by EO. Commercial pot shrimp fishing has occurred in District 3 since 1975. Significant commercial harvest did not occur until 1980 when 24,552 pounds were harvested by eight permit holders.

District 3 is divided into three sections. Section 3-A includes Cordova Bay and the waters around Hydaburg. Beginning with the 2000/01 season, Section 3-A was separated from the rest of District 3 and given a GHL of 264,000 pounds. The GHL in Section 3-A was reduced to 198,000 pounds in the 2004/05 season, to 158,400 pounds in 2008/09, and again to 95,000 pounds in 2010/11 due to declines in shrimp population health indicators from department survey and commercial catch rates. When the department survey indicated an increase in shrimp stock health the GHL was raised to 115,000 pounds in the 2015/16 season.

The proposed area closure includes portions of subdistricts 103-25 and 103-40. The most recent 10-year average harvest of 49,202 pounds from these subdistricts was 43% of the total annual harvest for Section 3-A.

Information on personal use shrimp harvest is available for 2018 and 2019. In both years there was no reported harvest specifically in the proposed closure area. There was harvest reported for lower District 3 that may have included some harvest in the proposed closed area. The 2018 harvest was 2,438 pounds of whole shrimp by 17 permits and for 2019 there was 3,160 pounds of whole shrimp harvested by 16 permits. In addition, a household survey conducted by the department in 2012 documented shrimp harvest in the proposed closed area by residents of Hydaburg. There is no C&T finding for shrimp in Section 3-A.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this allocative proposal. It is difficult to determine the actual harvest of spot shrimp in the proposed closed area since it is in portions of two subdistricts and the department's reporting requirements are at the subdistrict level. The description of the requested closed waters in this proposal is unclear. Department staff contacted the proposer and the intent of the written description in the proposal is shown in Figure 177-1.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

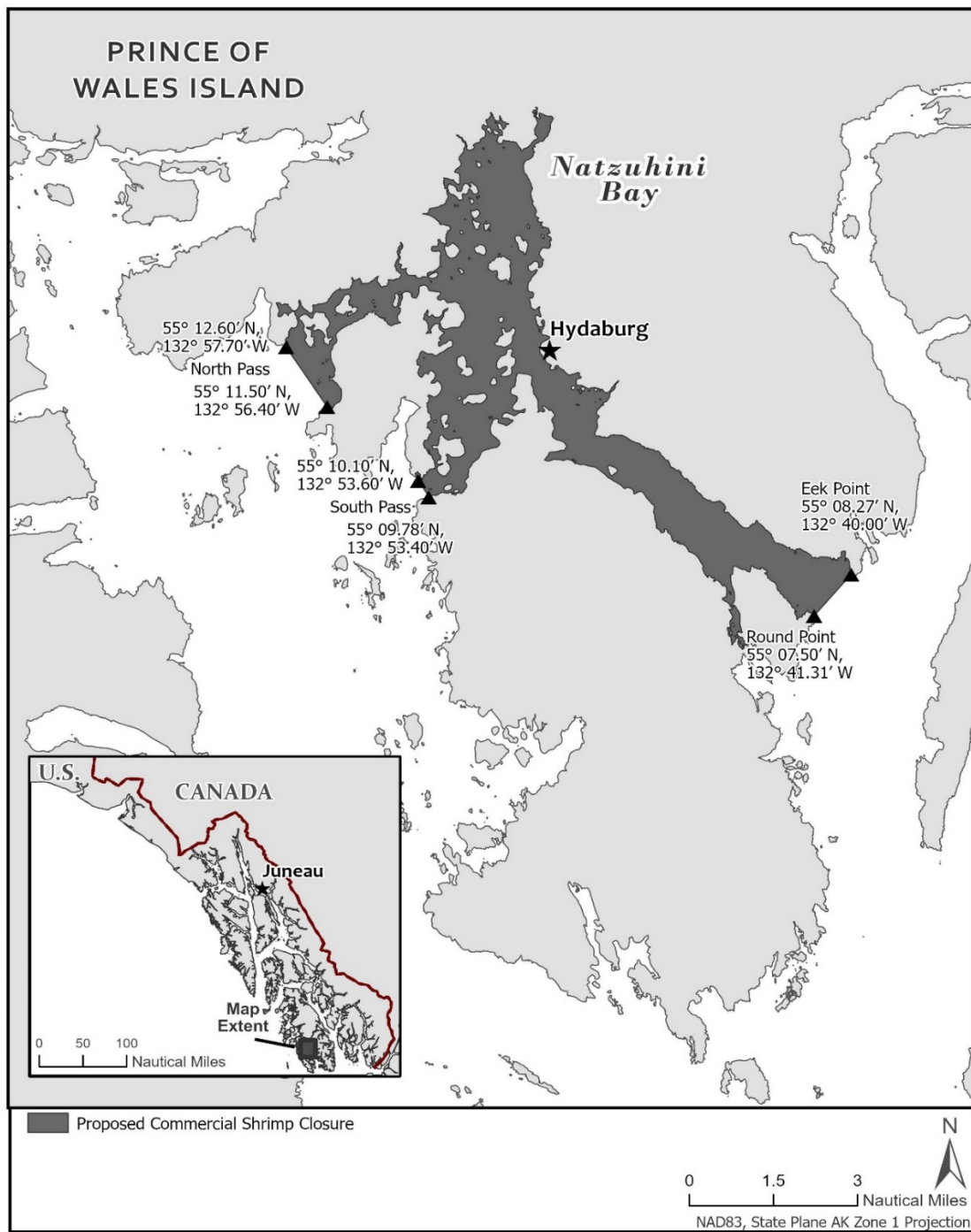


Figure 177-1.—Proposed commercial pot shrimp closure in Section 3-A near the town of Hydaburg.

PROPOSALS 178 and 179 – 5 AAC 31.136. Closed waters in Registration Area A.

PROPOSED BY: East Prince of Wales Advisory Committee.

WHAT WOULD THE PROPOSALS DO? Proposal 178 would close portions of Kasaan Bay, the waters of Twelve-mile Arm and an area south of Kasaan Island to commercial pot shrimp fishing. Proposal 179 would close the waters of Twelve-mile Arm to commercial pot shrimp fishing.

WHAT ARE THE CURRENT REGULATIONS? Regulations currently close a small portion of Twelve-mile Arm around the community of Hollis to the commercial and sport harvest of shrimp. This is mainly a closure to provide safe navigable waters for the IFA ferry.

WHAT WOULD BE THE EFFECT IF THE PROPOSALS WERE ADOPTED? These proposals would increase closed areas in Kasaan Bay to commercial pot shrimp fishing, while still providing for a personal use and sport fishery (Figure 178-1). This may result in foregone harvest in the commercial fishery and increased harvest in the sport and personal use fisheries.

BACKGROUND: The commercial pot shrimp fishery opens by regulation on October 1 each year. Districts or sections of districts are managed to a GHL and once achieved; these areas are closed by EO. Commercial pot shrimp fishing has occurred in Kasaan Bay since 1981. Significant commercial harvest did not occur until 1983 when 9,982 pounds were harvested. In 2000, the board closed a small portion of Twelve-mile Arm based on concerns from the communities of Hollis and Kasaan.

The GHL for the 2000/2001 season in District 2 was 86,000 pounds. The GHL in District 2 was reduced to 65,000 pounds in the 2009/10 season because of excessive exploitation rates, declining CPUE, and a decrease in mean carapace length. The GHL was reduced in the 2014/15 season to 52,000 pounds, and again in the 2015/16 season due to sharp declines in the commercial CPUE in Kasaan Bay. Because of extremely poor preseason survey results, Kasaan Bay was closed for the 2015/16 season and the overall GHL in District 2 was reduced to 30,000 pounds to alleviate harvest pressure on the remainder of the district. Due to improvements in the preseason survey results, Kasaan Bay re-opened for a limited amount of time in the 2018/19 season and then opened with the rest of the district in the 2019/20 season. Although the preseason survey showed improvements in Kasaan Bay the waters of Twelve-mile Arm showed only small improvements and the waters of Twelve-mile Arm south and west of the latitude of Outer Point remained closed for both the 2018 and 2019 commercial pot shrimp season. The catch rates of shrimp in Kasaan Bay were good during the 2019/20 season and the overall GHL in District 2 was intentionally exceeded. The GHL for District 2 was raised to 40,000 pounds for the 2020/21 season.

The 10-year average harvest in Kasaan Bay prior to the 2015/16 closure was 33,866 pounds with an average effort level of eight permits, which was 43% of the total annual harvest for District 2. Kasaan Bay shrimp harvest during the 2018/19 season was limited and confidential. During the 2019/20 season, four permit holders harvested 19,649 pounds of spot shrimp, which was 46% of the total District 2 harvest of 42,453 pounds.

Based on the reported personal use/subsistence shrimp permits, the annual harvest of spot shrimp in Kasaan Bay was 2,707 pounds from 18 permits in 2018 and 1,699 pounds from 14 permits

in 2019. On the permit, Kasaan Bay is reported as one area, so it is impossible to determine what portion of this harvest is from Twelve-mile Arm. The sport harvest from the area is unknown. There is no C&T finding for shrimp in District 2.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on these allocative proposals. Twelve-mile Arm has not opened to commercial harvest since 2014.

COST ANALYSIS: Approval of these proposals is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of these proposals is not expected to result in an additional cost for the department.

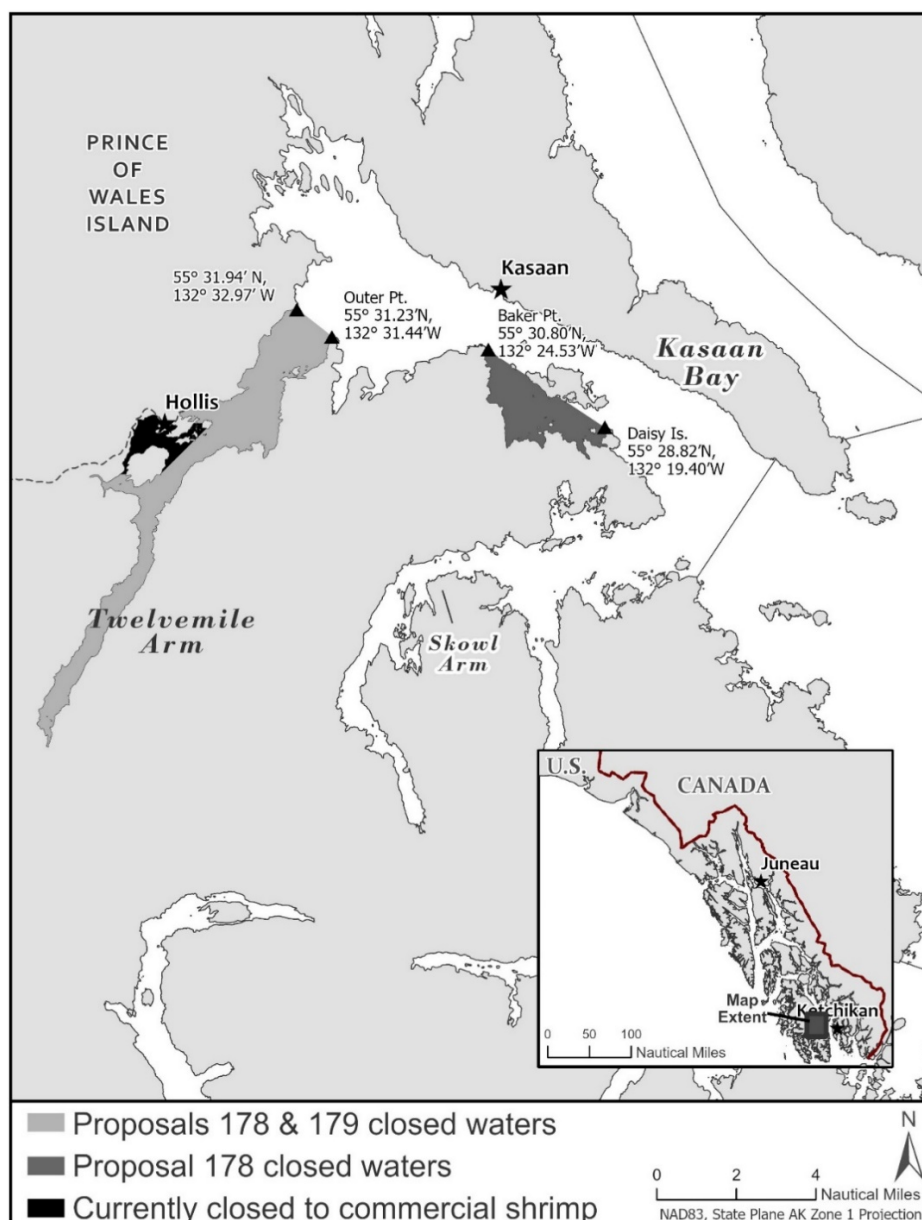


Figure 178-1.-Kasaan Bay and proposed commercial shrimp closures.

PROPOSAL 241 – 5 AAC 39.975. Definitions; and 5 AAC 75.995. Definitions.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? This would define “shrimp” as a member of the order Decapoda and that in reference to bag and possession limits, a shrimp is a whole shrimp, not one that is de-headed.

WHAT ARE THE CURRENT REGULATIONS? Harvest limits for shrimp are set by pounds or gallons/quarts of whole or de-headed shrimp.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Bag and possession limits for shrimp would be standardized as whole shrimp. Harvest of shrimp could decrease in the sport, personal use, and subsistence fisheries with harvest limits because bag and possession limits would be based on whole shrimp.

BACKGROUND: Harvest limits for shrimp are set by pounds or gallons/quarts. Given the difficulty of obtaining an accurate weight in the field a corresponding volumetric limit is set. To maximize harvest in shrimp fisheries with a harvest limit and to prevent spoilage, it is common practice for anglers to de-head their shrimp. Other anglers prefer to prepare their shrimp whole. The department receives many public inquiries on whether shrimp bag limits apply to whole or de-headed shrimp. The de-heading of shrimp before returning to port is allowed under current regulations and anglers are informed that shrimp can be whole or de-headed when assessing their bag limit.

The proposed order to identify shrimp Decapoda includes not only shrimp but crabs, crayfish, prawns, and lobsters. The following genus and species within the family Pandalidae that are typically harvested and likely represent the majority of the shrimp harvest in Alaska are: spot shrimp (*Pandalus platycerus*), coonstripe shrimp (*Pandalus hypsinotus*), dock shrimp (*Pandalus danae*), humpy shrimp (*Pandalus goniurus*), sidestripe or sidestriped shrimp (*Pandalopsis dispar*), and pink shrimp (*Pandalus jordani* or *Pandalus borealis*).

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. Current shrimp limits set for sport, personal and subsistence fisheries account for the retention of whole or de-headed shrimp. Without a specific management or conservation need a reduction of harvest in these fisheries statewide is not warranted. Due to specific characteristics of shrimp and no species-specific shrimp limits further regulatory definition of shrimp is not needed and would add unnecessary regulatory complexity. Defining a shrimp as a whole shrimp would not clearly prohibit the de-heading of shrimp. A regulation that prohibits a person from de-heading shrimp prior to recording their harvest would be more in alignment with the intent of the proposal. The board would also need to address if shrimp could be consumed or preserved on board.

COST ANALYSIS: The adoption of this proposal is not expected to add any direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional direct cost for the department.

PROPOSAL 180 – 5 AAC 31.112. Sidesripe shrimp beam trawl fishing in Registration Area A.

PROPOSED BY: Brett Stillwaugh.

WHAT WOULD THE PROPOSAL DO? This would repeal a provision in the directed sidesripe shrimp beam trawl fishery regulations that state the department may require a vessel observer during an open directed sidesripe beam trawl fishery.

WHAT ARE THE CURRENT REGULATIONS? The traditional beam trawl shrimp fishery in Southeast Alaska targets both pink and sidesripe shrimp, and secondarily spot and coonstripe shrimp as bycatch species. Regulations defining the traditional sidesripe fishery are found in 5 AAC 31.111. Separate regulations exist for a directed, sidesripe only beam trawl fishery opened by emergency order. This fishery has its own GHl, gear definition, bycatch limits, logbook requirements, noticing requirements, and observer coverage if the department decides it is necessary.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? If future directed sidesripe shrimp beam trawl fisheries were opened, the department would not have the flexibility to require an onboard observer if the situation warranted it. Lack of observer coverage would reduce likelihood of this fishery opening in the future because observer coverage provides one of the only sources of information on this shrimp resource.

BACKGROUND: Sidesripe shrimp are targeted, along with pink shrimp, in the traditional beam trawl fishery and are harvested annually in Southeast Alaska (Table 180-1). Spot and coonstripe shrimp are also caught in the traditional beam trawl shrimp fishery as bycatch species, and regulations provide for trip and seasonal bycatch limits for spot and coonstripe shrimp. Regulations defining a directed sidesripe shrimp beam trawl fishery became effective in 1996. The directed sidesripe fishery was intended to provide fishing opportunity on the higher valued but less abundant sidesripe shrimp in areas where pink shrimp GHls had already been harvested. The department opened directed sidesripe shrimp fisheries 11 times between 1997 and 2002. There is nothing written in the emergency orders for these openings that indicate the department has ever actually required onboard observers.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. The board established the directed sidesripe shrimp beam trawl fishery with certain provisions to better target the larger sidesripe shrimp. Removing the department's ability to require observers eliminates one of the tools used to manage the fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 180-1.—Commercial sidestripe shrimp harvest in the traditional beam trawl shrimp fishery, number of permits, and number of landings, 2010/11 through 2019/20 seasons.

Season	Harvest (lbs)	Number of Permits	Landings
2010/11	18,865	4	47
2011/12	73,613	6	151
2012/13	54,525	5	90
2013/14	58,756	5	111
2014/15	57,799	4	115
2015/16	126,619	7	296
2016/17	144,182	9	335
2017/18	129,497	6	302
2018/19	129,655	9	319
2019/20	71,915	11	202
Average	86,543	7	197

PROPOSAL 181 – 5 AAC 31.112. Sidesripe shrimp beam trawl fishing in Registration Area A.

PROPOSED BY: Brett Stillwaugh.

WHAT WOULD THE PROPOSAL DO? This would direct the department to open a directed sidesripe shrimp fishery if the GHL for the fourth fishing period in the District 8 shrimp beam trawl fishery is reached before February 28.

WHAT ARE THE CURRENT REGULATIONS? The traditional beam trawl shrimp fishery in Southeast Alaska targets both pink and sidesripe shrimp, and secondarily spot and coonstripe shrimp as bycatch species. Regulations defining the traditional sidesripe fishery are found in 5 AAC 31.111. Separate regulations exist for a directed, sidesripe only beam trawl fishery opened by emergency order. This fishery has its own GHL, gear definition, bycatch limits, logbook requirements, noticing requirements, and observer coverage if the department decides it is necessary.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Fishery performance in the traditional beam trawl shrimp fishery could trigger opening the directed sidesripe shrimp fishery regardless of sidesripe shrimp abundance. Sidesripe shrimp harvest in District 8 would increase by an unknown amount.

BACKGROUND: Sidesripe shrimp are targeted, along with pink shrimp, in the traditional beam trawl fishery and are harvested annually in Southeast Alaska (Table 181-1). Spot and coonstripe shrimp are also caught in the traditional beam trawl shrimp fishery as bycatch species, and regulations provide for trip and seasonal bycatch limits for spot and coonstripe shrimp. Regulations defining a directed sidesripe shrimp beam trawl fishery became effective in 1996. The directed sidesripe fishery was intended to provide fishing opportunity on the higher valued, but less abundant sidesripe shrimp in areas where pink shrimp GHGs had already been harvested. The department opened directed sidesripe shrimp fisheries 11 times between 1997 and 2002, with the last opening of the directed sidesripe fishery in the first fishing period in District 8 in 2002. In the previous ten full seasons of the traditional beam trawl fishery, the fourth fishing period in District 8 has only been closed early by emergency order twice – in the 2015/16 and 2018/19 seasons.

DEPARTMENT COMMENTS: The department is **OPPOSED** to this proposal. Sidesripe shrimp harvest opportunity is provided for in the traditional beam trawl fishery, and in the directed sidesripe fishery when the department determines an opening is warranted. This proposal would direct the department to open the directed sidesripe shrimp fishery after EO closure of the fourth fishing period in District 8. The department would only open the directed sidesripe shrimp fishery if a harvestable surplus is available.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

Table 181-1.—Commercial sidestripe shrimp harvest in the traditional beam trawl shrimp fishery, number of permits, and number of landings, 2010/11 through 2019/20 seasons.

Season	Harvest (lb)	Number of permits	Landings
2010/11	18,865	4	47
2011/12	73,613	6	151
2012/13	54,525	5	90
2013/14	58,756	5	111
2014/15	57,799	4	115
2015/16	126,619	7	296
2016/17	144,182	9	335
2017/18	129,497	6	302
2018/19	129,655	9	319
2019/20	71,915	11	202
Average	86,543	7	197

PROPOSAL 182 – 5 AAC 31.115. Shrimp pot guideline harvest ranges for Registration Area A.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? The District 15 shrimp pot GHR of 0–20,000 pounds of coonstripe shrimp would be split into two areas: District 15 East and District 15 Remainder. District 15 East would include those waters of Chilkoot, Lutak, and Taiya inlets with a GHR of 0–10,000 pounds of coonstripe shrimp. District 15 remainder would include waters of Chilkat Inlet and Lynn Canal with a GHR of 0–10,000 pounds of coonstripe shrimp. Regulations would be aligned with current management practices.

WHAT ARE THE CURRENT REGULATIONS? The District 15 GHR is 0–20,000 pounds of coonstripe shrimp.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Regulations would align with the management strategy the department has utilized for this area since 2009 to better manage shrimp populations in the traditional core fishing areas and provide for more sustainable fisheries.

BACKGROUND: District 15 includes waters of Lynn Canal north of the latitude of Little Island Light. Traditional core fishing areas in District 15 include Chilkat, Chilkoot, Lutak, and Taiya inlets (Figure 182-1). From 1995 through the 2004/05 season, the seasonally established District 15 GHL for coonstripe shrimp was 20,000 pounds. After reducing the GHL in 2005 to 15,000 pounds, then closing the district from 2006 through 2008 due to concern over stock health, it was reopened in 2009 under a new management strategy. District 15 was split into two areas each with a 7,500-pound GHL. The District 15-East area is comprised of Chilkoot, Lutak, and Taiya inlets and the District 15-Remainder includes Chilkat Inlet and remaining waters of Lynn Canal.

Harvest of coonstripe shrimp has historically been higher on the east side of the district, likely due to the proximity of Haines. Since the 1991/1992 season, 73% of the District 15 harvest has been from the east side. Prior to the change in management strategy, annual harvests averaged 10,000 pounds of coonstripe shrimp from the east side and 1,400 pounds from the remainder of the district. Since splitting the district in 2009, harvests have averaged 6,400 pounds from the east side and 3,800 pounds in the remainder of the district.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. The management strategy utilized since 2009 has been effective in sustaining shrimp stocks in District 15 and the department intends to continue to utilize this management strategy for the foreseeable future. As such, regulations should align with management practices. Splitting a district into smaller fishing areas with distinct GHRs has been done in other areas of Southeast (Districts 3, 6, 8, 10, 11, 12, and 13).

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

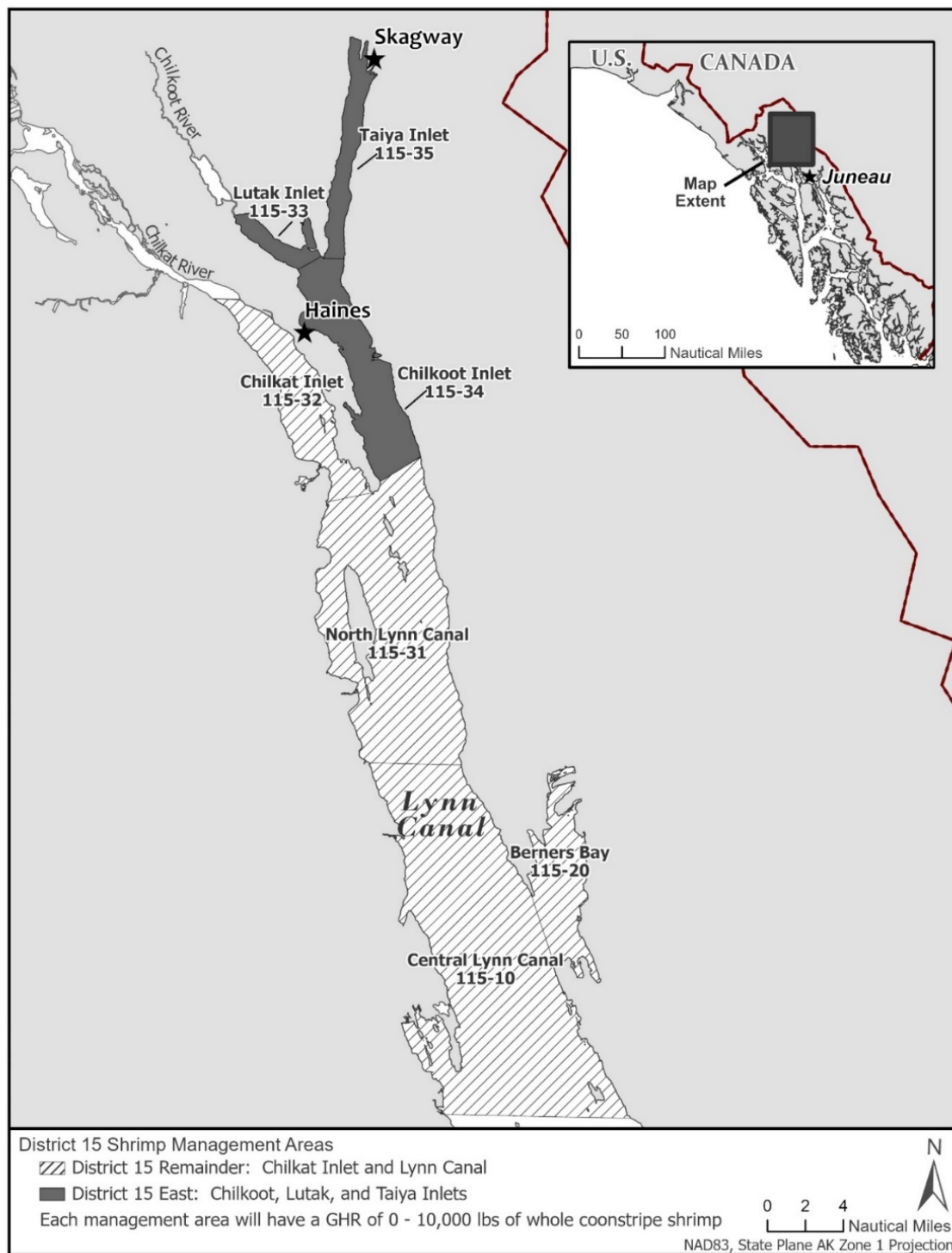


Figure182-1.–District 15 proposed shrimp pot management areas.

PROPOSAL 183 – 5 AAC 47.035. Methods, means, and general provisions – Shellfish. and 5 AAC 77.660. Personal Use Shrimp Fishery.

PROPOSED BY: East Prince of Wales Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? The maximum size perimeter opening for rigid mesh shrimp pots would be increased from a maximum perimeter of 15 inches to a maximum perimeter of 20 inches.

WHAT ARE THE CURRENT REGULATIONS? Sport, personal use, and subsistence shrimp fishing is open year-round and may only be taken under a permit issued by the department; a harvest recording form and harvest reporting are also required.

Pots used to take shrimp may have; (1) no more than four tunnel eye openings; no tunnel eye opening may exceed 15 inches in perimeter; (2) a bottom perimeter of no more than 153 inches; and (3) a volume of no more than 25 cubic feet.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This action would increase the tunnel eye opening maximum perimeter size and may lead to an increase in bycatch of nontargeted species. The current perimeter opening and required biological escape mechanism opening are matched with a 15-inch tunnel eye opening and 16-inch perimeter biological escape opening. Current requirements would allow anything that got into the pot through the tunnel eye opening to escape while the proposed 20-inch perimeter tunnel eye opening could allow bycatch species in that exceed the escape panel size of 16-inch in perimeter thereby trapping them in the pot. Sport and personal use shrimp pot regulations would differ from subsistence shrimp pot regulations.

BACKGROUND: Required, standard-sized escape openings are described under statewide general regulations (5 AAC 39.145) for all shrimp pots. Pot configuration regulations including the number and size of tunnel openings, maximum perimeter and volume were adopted for commercial shrimp pots that are used in SEAK beginning in 1998. Sport shrimp pot configuration regulations under 5 AAC 47.035 (k) (1), (2), and (3) as well as personal use pot regulations were modelled after these commercial pot shrimp fishery regulations and adopted about the same time to standardize requirements and collect more meaningful, consistent comparisons of harvest and catch per unit effort (CPUE) from the various user groups. Regulations concerning a maximum tunnel perimeter (15-inch) for commercial shrimp pots; pot marking requirements; prohibitions against simultaneously fishing shrimp pots and any other type of commercial, sport, or personal use pot; escape mechanisms; and some clarification of mesh requirements were implemented following the 1997 board meeting.

Effective in October 1998, a “small pot” was defined as having a bottom perimeter of no more than 124 inches and a “large pot” was defined as having a bottom perimeter of more than 124 inches, but not more than 153 inches. Pots could not have more than one bottom, a vertical height of more than 24 inches, and no more than four tunnel eye openings which individually do not exceed 15 inches in perimeter. The sides of the pot could only be at a right angle to the plane of the bottom of the pot or slanted inward toward the center of the pot in a straight line from the bottom to the top.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal. If adopted this action may lead to an increase in bycatch of nontargeted species, such as female or juvenile king, Tanner or Dungeness crab, that are larger than the current tunnel eye and escape opening size. Changing shrimp pot configuration requirements would also lead to less consistent harvest and CPUE information, and inconsistency between sport, personal use, and subsistence regulations.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 184 – 5 AAC 47.035. Methods, means, and general provisions – Shellfish.

PROPOSED BY: Alaska Department of Fish and Game.

WHAT WOULD THE PROPOSAL DO? This would clarify whether longlining of pots is allowed in the sport pot shrimp fishery.

WHAT ARE THE CURRENT REGULATIONS? Current regulations state that pots used to take shellfish in the sport fishery must be marked with a keg or buoy attached to each pot.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This action would clarify the board's intent and would explicitly state in regulation whether the practice of longlining pots is allowed in the sport pot shrimp fishery.

BACKGROUND: A common method for personal use anglers targeting shrimp is to set a string of pots on a single longline with only one marked buoy attached. This practice is explicitly allowed in the personal use regulations but is not directly defined for anglers participating in the sport fishery. A sport fisherman using pots to take shellfish shall plainly inscribe the fisherman's first initial, last name, and home address on a keg or buoy attached to each pot (5 AAC 47.035 (f)). By implication, this would preclude longlining pots, but longlining is not specifically described as prohibited. Sport anglers often ask for clarification between what is allowed in the sport fishery versus the personal use and subsistence fisheries.

Only Alaska residents may participate in personal use/subsistence shrimp fisheries, but are not precluded from also fishing in the sport fishery. However, bag and possession limits for sport anglers is set at three pounds or quarts, while there is no possession limit for personal use/subsistence anglers, except in District 13. Since sport bag and possession limits are not allowed to be combined with subsistence and personal use limits, most resident anglers choose to harvest shrimp under the more liberal personal use and subsistence regulations. The average estimated nonresident sport shrimp harvest between 2015–2019 made up about 29% of total harvest reported in the annual Statewide Harvest Survey.

The shrimp resource has shown a decline in abundance in some areas of SEAK resulting in recent management actions to reduce the sport harvest of shrimp including: reducing the bag and possession limit from 10 lb or quarts to 3 lb or quarts (2009), reducing the number of shrimp pots allowed in the sport fishery from 10 per person and 20 per vessel to five per person and 10 per vessel (2012), and area closures: Sitka Sound Special use area (2006), Twelve-mile Arm (2006), Indian point-Survey Point (2006), Tenakee Inlet (2012) reopened (2019), and Section 11-A Juneau (2013). Regulations were adopted by the board in 2018 that established a permit and reporting requirement for anglers wanting to participate in the sport shrimp fishery. Data from 2019 (the first full year of the permit and reporting requirements) show that 3,602 permits were issued, 1,222 were returned, with a total estimated sport harvest of 33,018 lb.

DEPARTMENT COMMENTS: The department submitted and **SUPPORTS** this proposal. There is a need to clarify and explicitly state whether longlining shrimp pots is allowed in the sport fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 185 – 5 AAC 47.035. Methods, means, and general provisions – Shellfish.

PROPOSED BY: Sitka Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Allow the use of artificial lights when targeting squid in the sport fishery.

WHAT ARE THE CURRENT REGULATIONS? Shellfish species with no seasons or bag limits, including squid, are open year-round and may be taken with hook and line gear. Current regulations do not prohibit use of artificial light when sport fishing.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This action would clarify the use of artificial light while sport fishing for squid but would have no effect given artificial light may be used while sport fishing.

BACKGROUND: Market squid (*Doryteuthis opalescens*) grow to a length of approximately 7.5 inches and can be found in the eastern Pacific from Mexico's Baja California peninsula to Alaska. They are a short-lived (6–9 months), highly productive species, and have formed the basis for important commercial seine fisheries in California since the 1850s. Market squid spawn at night and deposit eggs on soft bottom at depths of 10–40 fathoms.

Anecdotal information indicates that more sport anglers are targeting squid using hook and line. This may be due to restrictions in other fisheries or an increase in abundance of squid. There is currently no estimate for total harvest in the sport fishery.

DEPARTMENT COMMENTS: The department **OPPOSES** this proposal since the use of artificial light is not prohibited in the sport fishery.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 186 – 5 AAC 47.035. Methods, means, and general provisions – Shellfish.

PROPOSED BY: Sitka Fish and Game Advisory Committee.

WHAT WOULD THE PROPOSAL DO? Allow the use of an unlimited number of hooks while sport fishing for squid.

WHAT ARE THE CURRENT REGULATIONS? Squid fishing is open year-round and there are no bag, possession, or size limits. Sport fishing may only be conducted using a single line per angler with not more than two hooks or no more than 15 hooks when targeting herring or smelt.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? This action would allow an unlimited number of hooks to be used while sport fishing for squid. This may lead to an increase of bycatch of nontargeted species by an unknown amount.

BACKGROUND: Market squid (*Doryteuthis opalescens*) grow to a length of approximately 7.5 inches and can be found in the eastern Pacific from Mexico's Baja California peninsula to Alaska. They are a short-lived (6–9 months), highly productive species, and have formed the basis for important commercial seine fisheries in California since the 1850s. Market squid spawn at night and deposit eggs on soft bottom at depths of 10–40 fathoms.

Anecdotal information indicates that more sport anglers are targeting squid using hook and line. This may be due to restrictions in other fisheries or an increase in abundance of squid. There is currently no estimate for total harvest in the sport fishery.

DEPARTMENT COMMENTS: The department **OPPOSES** the use of an unlimited number of hooks in the sport squid fishery and would like to define a certain number of hooks on commercially available squid jigs that would be allowed. These jigs have a number of points without barbs and are effective at catching squid with little impact on other species. The squid fishery in SEAK is a relatively new fishery and there are currently no sport fishing seasons, bag, or possession limits for this squid resource.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost to the department.

PROPOSAL 187 – 5 AAC 38.140. Southeastern Alaska Sea Cucumber Management Plan.

PROPOSED BY: Southeast Alaska Regional Dive Fisheries Association.

WHAT WOULD THE PROPOSAL DO? Adjust fishing days in Southeast Alaska commercial sea cucumber fishery around Christmas and New Year’s holidays.

WHAT ARE THE CURRENT REGULATIONS? During October, the fishery is open on a weekly schedule of Mondays and Tuesdays with the maximum amount of time allowed each day fixed in regulation. Beginning in November the department has some flexibility to lengthen or shorten the number of hours but is unable to change the scheduled days of fishing except for the week of Thanksgiving when fishing is open on Sunday/Monday.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? The add language allowing the department to adjust fishing days during the weeks of Christmas and New Year to “maximize the harvest”. The wording is unclear as to whether this means adding additional fishing days or adjusting the days of the week fished.

BACKGROUND: During the 2017/18 through 2019/20 seasons, sea cucumber Monday/Tuesday opening days fell on Christmas and/or New Year’s Day. Subsequently, the fishery was closed for two weeks during Christmas and New Year’s holidays for lack of effort and lack of processors. In the 2015/16 and 2016/17 seasons, openings did not fall on Christmas or New Year’s Day and the fishery remained open during regular Monday/Tuesday opening times, but the number of participating divers was minimal, and the total pounds harvested were reflective of the low effort.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal but points out that when fishing has been permitted during this time frame in the past, participation has been limited by availability of markets. Many companies and permit holders observe breaks for the holidays, so limited participation and small harvests would likely not provide much incentive for processors to change operating practices.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 188 – 5 AAC 38.140. Southeastern Alaska Sea Cucumber Management Plan.

PROPOSED BY: Southeast Alaska Regional Dive Fisheries Association.

WHAT WOULD THE PROPOSAL DO? Change the opening date of commercial sea cucumber fishery from October 1 to the first Monday in October.

WHAT ARE THE CURRENT REGULATIONS? Sea cucumbers may be taken from October 1 through March 31 during the weekly fishing periods beginning on Monday established by EO.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Commercial permit holders would have a full two-day fishing period rather than a single day in years when October 1 fell on a Tuesday.

BACKGROUND: In October, commercial diving for sea cucumbers is open on a weekly schedule of Mondays and Tuesdays. Mondays are open from 8:00 a.m. to 3:00 p.m. (7 hours) and Tuesdays are open from 8:00 a.m. to 12:00 p.m. (4 hours). On years when the first fishing day falls on a Tuesday, fishermen would prefer to delay the first day of fishing and start the season one week later with a full two-day opener as opposed to a short 4-hour opener on the first Tuesday of the month. In 2013 and 2019, October 1 fell on a Tuesday and the department, divers and industry collectively agreed to have the first open period begin the following Monday to provide the fleet a full two-day opener.

DEPARTMENT COMMENTS: The department **SUPPORTS** this proposal. The department has already accommodated this request and there would be no conservation or allocation concerns implementing this regulation change. This proposal would save time for the department, divers, and industry as repeat conversations over moving the start of the fishery would no longer be necessary.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.

PROPOSAL 189 – 5 AAC 38.142. Southeastern Alaska Geoduck Fishery Management Plan.

PROPOSED BY: Southeast Alaska Regional Dive Fisheries Association.

WHAT WOULD THE PROPOSAL DO? This would allow the department to increase the number of geoduck permit holders that may make landings from a single vessel from two to four.

WHAT ARE THE CURRENT REGULATIONS? Regulations limit the number of geoduck permit holders on a vessel registered to commercially fish for geoducks to three, of which only two may make landings to or deliver from that vessel.

WHAT WOULD BE THE EFFECT IF THE PROPOSAL WERE ADOPTED? Increasing the number of geoduck permit holders that can operate from a single vessel may reduce the number of vessels present in the fishery.

BACKGROUND: The current regulation limiting the number of geoduck permit holders per vessel was adopted in 2018 to be consistent across all Southeast dive fisheries. Prior to 2018, there were no restrictions on the number of geoduck permit holders that could operate from a single vessel. In the other dive fisheries, specifically the commercial sea cucumber fishery, there was department and industry concern for the potential of “motherships” carrying a fleet of small boats and numerous permit holders. This situation could quickly harvest GHs and potentially cause localized depletion, resulting in unmanageable fisheries.

DEPARTMENT COMMENTS: The department is **NEUTRAL** on this proposal. There are tools in place to manage the geoduck fishery. However, if the board enacts a change the department supports making the regulation consistent for the geoduck fishery throughout the season.

COST ANALYSIS: Approval of this proposal is not expected to result in an additional direct cost for a private person to participate in this fishery. Approval of this proposal is not expected to result in an additional cost for the department.